

George A. S. Oliver





# **'I APPEAL UNTO CÆSAR'**

BY

**MRS. HENRY HOBHOUSE**

WITH INTRODUCTION BY

**PROFESSOR GILBERT MURRAY**

**LONDON: GEORGE ALLEN & UNWIN, LTD.**

**RUSKIN HOUSE, 40 MUSEUM STREET, W.C.1**

*Price One Shilling Net*

*Class Mark*.....S/ UB 342.H6

*Book Number*.....52882

The Author wishes it to be understood  
that any profits arising from the sale of  
this record of injustice will be devoted to  
the cause of Prison reform. She invites  
your co-operation.

PRESENTED TO THE  
LIBRARY OF  
UNIVERSITY COLLEGE  
NOTTINGHAM

*by*

G.A.S. Oliver, Esq.

1936.

'I APPEAL UNTO CÆSAR'

60 0410225 3




UNIVERSITY

WILLIAM

FROM THE LIBRARY





Digitized by the Internet Archive  
in 2024



‘I APPEAL UNTO CÆSAR’  
THE CASE OF THE CON-  
SCIENTIOUS OBJECTOR·BY  
MRS. HENRY HOBHOUSE

WITH INTRODUCTION BY  
PROFESSOR GILBERT MURRAY  
AND NOTES BY THE EARL OF  
SELBORNE, LORD PARMOOR,  
LORD HUGH CECIL, M.P., AND  
LORD HENRY BENTINCK, M.P.



LONDON: GEORGE ALLEN & UNWIN, LTD.  
RUSKIN HOUSE, 40 MUSEUM STREET, W.C.1





# INTRODUCTION

BY

PROFESSOR GILBERT MURRAY

WHEN compulsory military service was made part of the law of England in January 1916 it was well known that there existed in the country a certain number of persons who looked upon war as murder and on military service as a training in deliberate evil. The Society of Friends, an influential and universally respected body, had traditionally taken up this attitude with regard to war, and had been specially exempted from service in the Napoleonic wars by Mr. Pitt. Other religious bodies, such as the Christadelphians and the Plymouth Brethren, were known to hold more or less similar views. More important still, though perhaps not quite appreciated in War Office circles, the greatest of all modern men of letters, whose books sold by the hundred-thousand in almost every country of Europe, had devoted himself to a spiritual crusade against war and violence in any shape. Tolstoy's doctrines were so extreme that actual Tolstoyans were rare ; but almost every young man and woman in Europe who possessed any free religious life at all had been to some extent influenced by Tolstoy. And his influence was probably

at its greatest in Russia and England. It was not to be for a moment expected that the Military Service Act would be accepted by the nation without raising the problems of a religious protest and a religious persecution. It was certain that the Government which passed the Act would find itself confronted, not merely by political opponents, by shirkers, cowards, or dodgers, but by people who said frankly, "You are ordering me to commit a flagrant sin, and I will die rather than obey."

The Government of the day faced this difficulty with tact and prudence. They introduced compulsory service gradually, reluctantly, and not until the great majority of the nation was ready to acquiesce in its necessity. In the Act they introduced special clauses to exempt Conscientious Objectors, and, very wisely, they made it clear that to have a conscience a man need not be a member of any particular religious sect. To have insisted, as some people wished, that only members of specified sects should have a right to exemption, would have left out of account more than half of the most sincere and passionate objectors.

The exemptions were planned by Parliament on a generous scale, and were to be administered by the Local Tribunals. There was (*a*) total exemption for those whose consciences insisted; but, since it was known that almost every one in the country was eager to help his country as best he could, there were also the possibilities of (*b*) exemption conditional on the applicant being engaged in work of national importance of a non-military kind, and (*c*) non-combatant service in the army itself. Carried out with intelligence and fairness these provisions should have met all the difficulties; but as a matter of fact they were not so

carried out. I speak below chiefly of matters within my own experience. I became interested in this question chiefly through certain Oxford undergraduates who became Conscientious Objectors. I knew them, and after using my utmost exertions to overcome their scruples by private persuasion, I did what little I could to see that they obtained their legal rights.

The local Tribunals probably formed as good an instrument for carrying out the Act as could be reasonably expected, but they had grave faults.

The first and most obvious fault about many of them was their lack of the necessary qualifications for dealing with questions of conscience, or for at all understanding the mind of an intellectual or religious man, not to speak of an eccentric or an enthusiast. Besides this, they were of course anxious to please the War Office, to satisfy the more turbulent newspapers, and to display their own patriotism by sending other people to the trenches. They were very reluctant indeed to grant total exemption. They were for a long time reluctant to grant the second form of exemption, conditional on the performance of other work of national importance. They had a strong feeling, not very enlightened perhaps, but quite intelligible, that before getting his exemption the objector ought to be made to prove his genuineness by suffering. Whatever was done to him he could hardly be made to suffer as much as the men in the trenches. So they often refused exemption altogether, and, where they admitted the genuineness of an objector's conscience, they had recourse freely to the third alternative of "Non-combatant Military Service."

To most conscientious objectors this alternative was a mere mockery. They objected to all military service

as organised evil-doing. They had explained this, and their objections had been recognised by the Tribunal as genuinely based on conscience ; and, as a result, they were promptly ordered to perform military service with the assurance that they need not mind, because they would be moved out of the way if there was any danger ! It was both a mockery and an insult. There were indeed some curious sects which objected only to the act of killing, not to the organisation of killing. They and the War Office were perhaps the only people content with the plan of non-combatant service.

The War Office liked it because it gave the objectors into the power of the military. Recruiting officers and higher authorities had great hopes that when they had once got these men into the Army they could, by hook or by crook, by persuasion and suggestion, by assault and battery, and the influence of the military atmosphere, make soldiers of them. And sometimes, no doubt, they actually achieved this end.

I have notes of conversations with two military authorities, one in a high position, one only a recruiting officer, who had the definite intention of shooting the objectors. " A few would do, just to bring the others to reason." I endeavoured to explain that this view was too sanguine, but both men clung to it. The plan has, I believe, never been carried out. Disobedient objectors have been taken to France, avowedly for the purpose of enabling their officers to shoot them at will. They have been threatened with shooting, and have been formally sentenced to death. But they have not been actually shot. The special grace guaranteed them by the law has only taken the form of cells, field punishment, penal servitude, and repeated terms of hard labour.



Another method, however, has been practised freely, as many published documents show. It is secret bullying and terrorism in the barracks. "He won't give way?" said a recruiting officer to me about a certain rather delicate undergraduate. "Well, we'll see when we get him in the barracks. It's him against us, and I think we shall get the best of it." "Do you want to shoot him?" I asked. "No, we won't shoot him. We'll spank him. We'll make him wish he had never been born."

Many abominable cases of such bullying have come to light; others will never be known. I should like, however, to state clearly that, as far as my own experience goes, which was confined practically to the year 1916, the Government and the higher authorities were most prompt in redressing any case of proved injustice that was brought to them, and sincerely anxious to prevent wrong being done. And secondly, as far as my experience goes, cruelty in barracks was the exception; an embarrassed and worried good-nature was the rule. The ordinary cases of oppression, unfairness, and bullying in barracks were probably not due to any high authorities, but sprang from excesses of popular feeling, or from sheer ill-temper and stupidity. A young officer, like one known to me, who had never heard of Tolstoy and believed that the rule "An eye for an eye and a tooth for a tooth" was spoken by Christ in the Sermon on the Mount, was not likely to show much insight in dealing with a meek theological prisoner who roused all his instincts of antagonism, and, what was worse, often made him look like a fool. And it made matters worse that, owing to this same stupidity, the Tribunals sometimes let a really "slim" or fraudulent objector escape. I think it would be true to say that

the dishonest objector has had generally a better chance than the honest one. For a simple reason : that the humbug made it his whole business to please the Tribunal and get off, while the honest man did not.

The vast majority of the Conscientious Objectors were willing and anxious to accept alternative service. They were ready for any service that was not military, and on the whole showed a preference for ambulance work, or relief or reconstruction work, under the Society of Friends. I know two objectors who specially sought out employment in mine-sweepers, because it was at least as dangerous as ordinary fighting, and at the same time it aimed at saving life, not destroying it. But there remains one type of case which needs special treatment. I mean the extremists, or " absolutists," who refuse all alternative service whatever. They are about 1000 in number. They have taken up a position which naturally alienates public sympathy. But, as far as I have any individual knowledge of them, they are men of exceptionally high character and devoted lives ; and beyond all doubt they are being treated with the most unintelligent brutality.

Let me try to explain why these men refuse to accept exemption on the condition of performing " work of national importance " at the order of the Tribunal.

It is not because they are unwilling to help their country or their fellow-men. Most of them are men who before the war spent a great part of their lives in social service. Nor is it, in the main, that they argue, with more logic than common sense, that, when a country is using all its powers for war, any help given to that country is help to the war. It is chiefly that they will not accept freedom at the price of recognising

and obeying the orders of a Tribunal which in its very essence their whole conscience condemns.

This is no doubt exasperating. All the Conscientious Objectors known to history have been exasperating. Otherwise people would not have persecuted them. But, however exasperating, it is a perfectly common phenomenon. Think of the Quakers in the time of the Commonwealth and of Charles II., sentenced again and again to imprisonment because they thought it an act of idolatry to take off their hats in court. Think of the Early Christians who were offered complete freedom on condition of performing a slight act of courtesy to the Emperor's statue, and refused it. In the eyes of these objectors, the Tribunal is a court set up for the purpose of dragging human beings against their will into acts of desperate cruelty and wickedness. They regard it as a Tribunal of blood and sin, if ever there was one. And I must confess that to an onlooker with any historical imagination the average Tribunal, when dealing with a pale and fanatical C.O., does at times bring up vivid pictures of the courts in the *Pilgrim's Progress*. It is not hard to understand the position of these extremists.

Of course I think they are wrong,—tragically wrong. I think also that many of them have other minor faults of a most irritating character ; that is all beside the point. The main question for us, and a question which concerns our honour as a nation, is whether we wish to act like sensible men or like angry fanatics—without any excuse for fanaticism. For my part, if it is a little childish of a Quaker to refuse to take off his hat in Court, or for a C.O. to refuse to accept an order from the Tribunal telling him to do just what he otherwise would like to do, I think it much more childish, and infinitely worse than childish, to send him,

and to keep sending him again and again, to prison with hard labour until we achieve the sorry triumph of breaking his spirit or destroying his sanity. And two points must always be remembered. First, that these men have by the plain intention of the Act a right to total exemption, and the whole of their punishment is in spirit illegal: and next, that the repeated sentences of imprisonment with hard labour which are passed on them for what is in reality one single offence mount up to a prolonged severity of treatment which is otherwise unknown, or almost unknown, to the practice of English law.

The question has ceased to be a military question. There is probably not one extra man to be added to the army by the further persecution of these objectors. There is no way out of the difficulty by increase of severity. Honest brutality, no doubt, would repeal the exemption clauses of the Military Service Act, and openly hand over the Quakers and Tolstoyans to the military, to be flogged and shot at will. But flogging and shooting will not bring more men into the Army, nor improve the spirit of the civil population outside. Dishonest brutality would proceed further on the road now followed, and encourage more secret cruelty in the barracks. I have received by this morning's post (June 30) the accounts of one man, an intended missionary, dead in hospital, another dead in a lunatic asylum, as the result of this secret bullying; and a third being subjected to a well-known form of mediaeval torture. This man is imprisoned in a deep and narrow hole, too small for sitting down, not to speak of lying, with no roof overhead and water at the bottom, covered by two planks. His sentence is for twenty-eight days, which would mean death; but since the prisoner has



managed to communicate with the outside world, it will presumably not be carried out.

I do not believe, even yet, that any British Government will deliberately continue to allow these infamies. If it does, I should find it hard to be surprised at any access of indignant fury against that Government on the part of the friends and relations of these tortured men.

Indeed, the worst point of the whole miserable business at present is not the addition of a little more unnecessary suffering and a little more meaningless injustice to the oceans of suffering and injustice already caused by the war. It is that the great majority of ordinary decent people who have come into personal contact with the treatment of objectors by the Tribunals and the War Office find themselves angered and embittered against the Government of their country at a time when it needs all their support. However wrong-headed, conceited, self-righteous, and unpatriotic, and all the rest of it the objectors may originally have seemed to us, the long and fruitless and illegal persecution of these men leaves on the coldest observer an impression of some moral heroism on the side of the culprits and some moral and intellectual vileness on the side of their oppressors.

This is a very undesirable state of things, and it is not to be mended by mere suppression of the facts. At present hardly any newspaper publishes any account of the ill-treatment of the objectors, any statement or explanation made by them, or any questions raised about them in Parliament. Even the special debate, lasting considerably over an hour, on this subject in the House of Lords has been most scantily reported, and the speeches by Lord Parmoor, the Archbishop of

Canterbury, and Lord Courtney have been practically suppressed.

The result attained has been that which it was desired to attain. A thick veil has been drawn to hide the whole of these discreditable proceedings from the people of England. It is because we wish that veil rent that we have agreed to the publication of this little book.

GILBERT MURRAY.

# NOTE

BY THE

RIGHT HON. THE EARL OF SELBORNE

THE line I have been going on privately, and shall continue to urge privately, and in public if I get a chance, is that this cast-iron way of dealing with these cases is idiotic, and that each case should be dealt with on its merits; *e.g.* a man who is quite obviously a Conscientious Objector according to the meaning of the Act of Parliament should be treated as such, however much technically he may have put himself in the wrong.

SELBORNE.

# NOTE

BY THE

RIGHT HON. LORD PARMOOR

It is a fundamental principle that punishment should be imposed in reference to the nature of the offence. Judged by this standard there is no justification for the terms of successive imprisonment inflicted on Conscientious Objectors who are recognised to be straightforward and sincere. This punishment is, moreover, contrary to the express declarations of responsible Ministers when the Military Service Act was under debate in Parliament.

The severity of the punishment, inflicted by successive terms of imprisonment, is in sinister contrast with the national appeal for a higher standard of right and justice, and negatives any claim we may make to maintain the supreme test of Civil Liberty, viz. the determination to give full protection to an unpopular minority at a time of national excitement. It is forgotten that obedience to conscience is a primary duty in Christian Ethics, and there is a curious confusion of thought in stigmatising a deep sense of religious duty, as though it were a mean attempt to evade the claims of a National obligation.

PARMOOR.



# NOTE

BY

LORD HUGH CECIL, M.P.

I AM certainly of opinion that where it is quite clear that an objector to military service is moved by a sincere scruple to make his objection, he ought not to be punished. If there be practical difficulties in the way of distinguishing case from case, the Home Office should be allowed to discriminate according to its discretion, and give such relief as might seem in the circumstances possible.

HUGH CECIL.

# NOTE

BY

LORD HENRY BENTINCK, M.P.

WHILE I have not much sympathy with the ordinary Conscientious Objector, I feel that our treatment of those who have proved their sincerity by going to prison is consistent neither with humanity nor the law. The Military Service Acts lay down that, "The Tribunal, if they consider the ground for the application established, shall grant a certificate of exemption, which may be either absolute, conditional, or temporary." It is beyond dispute that when the House was passing the Military Service Acts, it was intended to give absolute exemption to those whose objection to military service was beyond any question. I therefore cannot understand how the Government can justify the continuous imprisonment of men who have proved that their conscientious convictions are genuine. The Home Secretary, to my mind, is doing an injury, not so much to the Conscientious Objector as to the cause of good government in Great Britain.

HENRY BENTINCK.

# ‘I APPEAL UNTO CÆSAR’

GENTLE reader, if indeed any may be called gentle in these days of blood and iron, I ask your attention to this document, poignant with human interest, and maybe the pathetic account of a lost cause. I have endeavoured to make our statement moderate, dispassionate, and convincing. The facts cited are, to the best of my knowledge, true, having been carefully compiled and sifted from court-martial records and from letters written at long intervals by the hundreds of men doing hard labour and in detention cells. I ask your consideration of a difficult problem, full of pitfalls, and yet which must be solved if a barbarous condition of things is to be put a stop to and a grave scandal is to be averted.

An Early Christian once appealed unto Cæsar. I, too, in my weakness, appeal unto him. The Cæsar I appeal to is: the Lords and Commons, the Government Offices concerned, the War Cabinet, the King in his capacity of granter of pardons; to a greater power than these, to the enlightened opinion of our fellow countrymen and women in these Isles and across the seas, and to the great Democracy which carries on the traditions of our Puritan forefathers.

It is with no desire to embarrass the success of the

war that these pages go forth. This war is for me, as President Wilson says, "a peoples' war for freedom, justice, and self-government, a war to make the world safe for the peoples who live in it." But if ever, on this most unchristian earth, Christ should descend from the Cross where we have crucified Him, an eternal emblem of human cruelty and ignorance, if He should ever perchance sit in the Council Chambers of nations and enter the cells of our prisons, then indeed, will the faith of these men suffering for conscience' sake appear not so crazy a delusion. It may be felt that they did not after all suffer wholly in vain, although they came too early in the history of the world.

We, who ask for the release of the genuine Conscientious Objectors who have purged their offence by repeated sentences of hard labour, have many specious arguments to contend with, one or two of which I will endeavour to deal with here.

It is said that if the genuine men are let out of prison, some shirkers will go free. Even if this were so, it is not the custom of our law to punish one man for another's offence. A second argument is that if you release a sincere objector, he may cause trouble by mischievous propaganda. I answer again, it is not our custom to punish a man for one offence, when you really have another in view. Further, if the released man gave trouble and broke the law, he could be re-arrested under an all-powerful Defence of the Realm Act, tried and convicted in the law courts of his country.

A third very cogent question is: "Why cannot these men do useful work for their country, if they will not fight?" The reply is: "They were doing useful work—many of them very laborious and self-sacrificing work, and would, if released, do it again, but that, in



making their protest and suffering for their faith, they believe (though most people think wrongly) that they are best serving the cause of humanity. They say : ' Man shall not live by bread alone.' "

Again, it is asked, " What do you think will be the feelings of the relatives of men who have given their lives for their country if these fellows are released ? " I answer, as the mother of sons in France, who are daily risking their lives, subjected to the horrors and discomforts of the trenches, that I feel less distress at their fate, fighting as they are their country's battles, with the approval of their fellows, than I do for that other son undergoing for his faith a disgraceful sentence in a felon's cell, truly " rejected and despised " of men.

It is just because our cause is a good one, because our sons are fighting against an evil domination, that we as a nation should be free from tyranny and oppression.

Here let it be added that there are plenty of men up and down the country, the *embusqués* of England, who have secured comfortable, safe, and well-paid posts, such as many Conscientious Objectors could have had for the asking. In the War Office itself there are men who prefer driving the quill to wielding the sword. The fault of the objector is not that he refused to fight, but that he fought the Conscription Act. It is perhaps permissible to remark that in so doing he has helped to make industrial conscription well-nigh impossible.

A last and most ignoble argument to the gallery is : the Conscientious Objector has no friends, his cause is unpopular, all the shouting is against him, so it is safe to persecute him. To this I ask you, gentlemen, to give the answer.

If the facts of the following pages make you indignant, if you feel there has been a miscarriage of justice, I urge you not to let the matter drop, to use your influence, whether great or small, to see that this injustice is righted, to remove a slur on the good name of our Government.

In conclusion, whatever the Prison Commissioners may contend to the contrary, the facts here recorded reveal prison conditions which revolt one's sense of humanity and decency. Our penal system is in urgent need of reform, necessary even more for the betterment of the criminal and for the suppression of crime than for the sake of the earnest, though perhaps misguided, men now undergoing a degrading life for conscience' sake. Truly might we write over the portals of our prisons the poet's words of doom :

“Lasciate ogni speranza voi ch' entrate.”

MARGARET HOBHOUSE.

HADSPEN, CASTLE CARY, SOMERSET,

*July 1917.*

My warm thanks are due to Professor Gilbert Murray for his courageous Introduction ; to the Earl of Selborne, Lord Parmoor, Lord Hugh Cecil, and Colonel Lord Henry Bentinck, M.P., for permitting me to publish letters written to me ; and for the assistance I have received in the drawing up of my statement ; also to those who over a long period have laboriously, and with every effort towards accuracy, collected the following statistics.

# ‘I APPEAL UNTO CÆSAR’

---

## I

### GENERAL STATEMENT OF THE PROBLEM

It is perhaps not generally realised that there are now (July 1917), apart from men who are detained pending appearance before the Central Tribunal, between 800 and 1000 Conscientious Objectors in prison, who, unless a new policy is adopted by the authorities, will remain there, with occasional brief intervals, until the end of the war. A small proportion of these are men who have been returned to prison from Home Office camps on account of some breach of regulations, but by far the greater number are where they are because they maintain that it is against their conscience to purchase release from prison by undertaking work imposed in consequence of the Military Service Acts, such as Alternative Service granted by the Tribunals, or service in Home Office Work Centres. Most people find such an attitude very strange, so strange that they have difficulty in believing that the conscience by which these men claim to be actuated is genuine. Nevertheless, there are to be found among these men

a large proportion of those who would in advance have been most readily regarded as genuine—members of the Society of Friends, prominent social workers, and lifelong advocates of pacifist principles. Whoever studies their membership will be convinced that at any rate they cannot be dismissed as mere politicians.

It was quite clearly not the intention of Parliament that sincere Conscientious Objectors should be sent to prison in spite of the Conscience Clause. Mr. Herbert Samuel, in the House of Commons, said, in advocating the Conscience Clause :

“ Are you, in the case of these conscientious objectors, to arrest them and bring them before the Court, and impose fines, and if the fines are not paid, proceed to imprison them ? Is it really contemplated that now, when for the first time you are making military service compulsory in this country, it should be accompanied by the arrest and imprisonment of a certain number of men who unquestionably, by common consent, are men of the highest character, and, in other matters, good citizens ? I am sure honourable members would not wish to contemplate that there should be anything in the nature of religious persecution, or that you should have this body of men locked up in the gaols of this country.”—*Hansard*, Wednesday, January 19, 1916.

Accordingly the Acts provided three kinds of exemption, which were to be granted by the Tribunals according to the nature of the conscientious objection felt by the applicant. Some were granted exemption from combatant service only, and were placed in the Non-Combatant Corps. A certain section, notably the Plymouth Brethren and the Christadelphians, were satisfied so long as they were not themselves obliged

to take human life, and, so far as they are concerned, the Non-Combatant Corps has solved the problem.

A second form of exemption was allowed by the Military Service Acts, namely, exemption conditional upon undertaking work of national importance. The majority of Conscientious Objectors, while refusing to serve in the Non-Combatant Corps because its work is for the purpose of the war, have felt themselves free to accept work of national importance, whether originally awarded by the Tribunals or subsequently granted to men in prison by the Central Tribunal in its revising capacity.

There remain between 800 and 1000 men who carry the logic of their objection to war a step further, and refuse to accept any work imposed under the Military Service Acts. Presumably, to meet the cases of such men, a third form of exemption, namely, Absolute Exemption, was provided by Parliament. This has been granted to some 400 men, but has been refused, for no apparent reason, to the 800 or 1000 who still remain in prison, and whose claim is not merely as strong as that of the 400, but has the added strength of repeated sentences endured. These men argue, rightly or wrongly, that when they are ordered under the Military Service Acts to change their occupations, for example to engage in agriculture instead of teaching, the purpose of the change is the better organisation of the nation's resources for purposes of war. They contend that the result of their engaging in agriculture will not be to increase the amount of the nation's food production, but merely to enable the authorities to send a larger number of agricultural labourers into the army. Accordingly, they maintain that what is called work of national importance, even when it has



no direct association with the prosecution of the war, is really ancillary to military service, just as much as is the work of the Non-Combatant Corps. They point out that, if this were not the case, there would have been no reason to ask them to abandon occupations which had been recognised as useful in times of peace.

This argument is reinforced in their minds by another of a somewhat different kind. They stand for the *right* of those who think as they do to abstain from war, just as the early Christians stood for their right to abstain from what they considered the idolatrous worship of the emperor. Just because they regard it as a right, they cannot accept it as a privilege granted in return for submission to the provisions of the Military Service Acts.

This position may be thought fanatical; indeed any position which carries one point of view to its logical conclusion is bound to appear fanatical to those who entertain the opposite opinion. But it is undoubtedly a sincere opinion, held, as experience has shown, with such tenacity, that men are willing to face repeated and lengthening terms of imprisonment rather than abandon it. It was supposed at first that those who call themselves Conscientious Objectors were cowards and shirkers, using the pretence of conscience as a means of escape from the dangers of the trenches. But for these men the alternative to prison is not the trenches, but work in the Home Office Work Centres. The Home Office Work Centres are perhaps not quite the paradise that they have been represented to be by a section of the press, but they are at any rate infinitely more agreeable than prison, and it is hardly to be supposed that anything

short of a very strong and very genuine conscientious conviction will lead a man to remain in prison when this much less painful alternative is open. The hardships of prison to a sensitive educated man are enormously greater than to the ordinary members of the criminal classes, but for almost all except professional criminals they are very severe. Indeed, those who are responsible for army discipline know that a certain experience of prison is sufficient to induce unruly soldiers to perform their duty in the trenches. Yet these Conscientious Objectors, though the way of escape is always open to them by recantation, return to prison again and again; indeed some of them are already performing their fourth term of imprisonment with hard labour.

At earlier stages it was reasonable to argue that men could not be exempted from the duty of performing work of national importance until they had been submitted to some further punishment as a test of the genuineness of their conscientious conviction on this matter. But now whatever further test may have been thought necessary has been amply provided. It is nearly a year since the Home Office Work Centres were instituted, and many of the men now in prison have been undergoing punishment during almost the whole of that period.

Lord Derby, in the House of Lords on May 24, 1917, showed that he had not succeeded in understanding the position of these men. He said: "They are prepared to let men in this country fight to retain them their liberties, while they will not even assist their country by undertaking non-combatant work, or, indeed, any work for the nation at all." This, of course, is not the way in which the position appears

to the men themselves. They will say in all sincerity that they yield to none in anxiety to save their country, and many of them in support of this can point to a past record of self-sacrificing social service. But they maintain, paradoxical as it may appear, that victory in war is not so important to the nation's welfare as many other things. It must be confessed that in this contention they are supported by certain sayings of our Lord, such as, "What shall it profit a man if he gain the whole world and lose his own soul?" Doubtless such statements are to be understood figuratively, but the history of religion shows that founders of religions are always apt to be understood literally by some of their more slavish followers. These men believe that the greatest goods are spiritual goods. They believe, like Spinoza, that hatred can be overcome by love, a view which appears to derive support from a somewhat hasty reading of the Sermon on the Mount.

When Lord Derby informs them that British soldiers are fighting "to retain them their liberties," it is hardly surprising if they retort that prisoners in Wormwood Scrubs have fewer liberties than prisoners at Ruhleben. They will reply that it is for the sake of the principle of liberty as well as human brotherhood that they are enduring punishment. But the liberty of which they are thinking is the spiritual liberty of the individual, while the liberty of which Lord Derby speaks is national liberty. It may be difficult to reconcile these two ideals, but it must at least be admitted that the men in prison have an ideal, and that they are suffering for their beliefs, not out of mere perversity.

Whatever may have been thought at an earlier

stage, it is clear now that there can be no administrative or military danger in the unconditional release of these men. Those at any rate who have served two or more terms of imprisonment have given such proof of endurance and genuineness as cannot but convince any unprejudiced person. Their number is known, and from the standpoint of the army is negligible; but there is no doubt that the treatment of them has caused criticism abroad, and has tended in this country to rouse sympathy for the very class which, of all others, right-minded people would least wish to invest with the halo of heroic endurance. The only solution that would meet the case is unconditional release.

If after release some among them were to indulge in seditious propaganda, they could always be sent back to prison under the Defence of the Realm Act. But probably the great majority would become again the quiet citizens they were before.

It is useless to attempt any solution which involves a bargain or acceptance of conditions on the part of these men. Their attitude to a state at war is such that they would feel the same objection to acceptance of conditions as the ordinary citizen would feel to compounding a felony. Nothing short of complete liberty will meet their conscientious scruples, which, strange as they may appear, have been proved genuine by the deliberate choice of prison rather than national service. The past record of the men shows that the great majority of them will perform useful service if they are freely released, but not otherwise. They claim absolute exemption, which, as they point out, was allowed by the Military Service Acts; indeed the second Act made this quite clear, even if the first

seemed ambiguous.<sup>1</sup> They emphasise the fact that the Acts and Regulations directed the Tribunals to grant such form of exemption (including absolute exemption when necessary) as would meet the consciences of applicants, and they maintain that, in their case, there has been a miscarriage of justice.

There are two methods by which their case might be met :

1. A man who has been repeatedly court-martialled and imprisoned might be discharged from the army. (The Army Council has power to do this.) This might be done, if desired, at the end of a man's first or second term of imprisonment.
2. The King's pardon could be granted, and the War Office directed not to re-arrest on the prisoner obtaining his discharge from prison.

The offence of the Conscientious Objector is virtually one single offence, although technically it is a new offence on each occasion when he is released from prison. It is contrary to the practice of the criminal law to punish a man repeatedly for the same offence. The present practice, if not altered, would involve

<sup>1</sup> MILITARY SERVICE ACT, 1916 (January 27, 1916)—Subsection 3 of Section 2.—(3) Any certificate of exemption may be absolute, conditional, or temporary, as the authority by whom it was granted think best suited to the case, and also in the case of an application on conscientious grounds, may take the form of an exemption from combatant service only, or may be conditional on the applicant being engaged in some work which in the opinion of the Tribunal dealing with the case is of national importance.

MILITARY SERVICE ACT, 1916 (Session 2), (May 25, 1916)—Subsection 3 of Section 4.—(3) It is hereby declared that the power to grant special certificates of exemption in the case of an application on conscientious grounds under Subsection (3) of Section 2 of the principal Act, is additional to and not in derogation of the general power conferred by that Act to grant an absolute, conditional, or temporary certificate in such cases.



imprisonment for life (with now and then a few days' liberty) for those who cannot accept national service. Whatever may be thought of their guilt, this seems an excessive penalty, and it is clear that sooner or later some other way of dealing with them will have to be found.

Many of those who agree most fully with the views of the men in prison hope that they will not be released while the war lasts, because while they remain in prison they afford a powerful argument to pacifists, who question whether we are really fighting on behalf of freedom. Those pacifists who desire their release do so on grounds of humanity, although they realise that continued punishment would perhaps best serve their ends. Is it too much to hope that the Government also will be led by motives of humanity to allow these men's release? The danger of releasing them is small, whereas the evils involved in their further imprisonment are great and indubitable.

## EXTRACTS FROM THE RECENT DEBATE IN THE HOUSE OF LORDS

*HANSARD*

*House of Lords*

Thursday, May 24, 1917

Vol. XXV. No. 42

*Lord Parmoor* rose to call attention to the provisions of the Military Service Acts relating to exemptions, and to ask His Majesty's Government how far successive terms of imprisonment have been imposed for the same offence. . . .

A question did arise as to the right to absolute exemption, because conditional exemption given under terms when it is known that the conditions cannot be complied with is in truth and substance no exemption at all. I should like to read one passage from the circular of Mr. Long, who dealt specially with this matter in the other House when he was President of the Local Government Board. He said :

“ Absolute exemption can be granted in all cases where conditional exemption will not adequately meet the case. It is quite clear that if the condition imposed is an impossible one it does not meet the case so far as exemption is concerned. I think that the terms of this circular are of great importance.”

But in order to prevent discussion upon a point of this kind, which I seek to avoid, I will quote a passage from Mr. Long and one from the late Prime Minister, Mr. Asquith, in order to show, according to my view, how the Legislature intended that this matter of conditional exemption should work. Mr. Long in his place in the House of Commons said :

“ I do not want, and nobody in the Government wants, the horror of men, who for conscience’ sake are unwilling to serve, being thrown into gaol for a long time.”

I think that every member of your Lordships’ House would agree with that statement. I am not saying that a punishment may not be awarded under these conditions, but I think it is a horror that men should be thrown into gaol for an indefinite time in respect of a matter of honest sincere conviction. What did Mr. Asquith say ? He said :

“ All men whose objections to active military service are founded on honest convictions ought to be able,

and will be able, to avail themselves of the exemptions which Parliament has provided."

That is quite right. They ought to be able to avail themselves of the exemptions which Parliament undoubtedly intended. That is the purport of my Question to-day. . . .

Now what did Lord Kitchener say? He took the very wide and tolerant view, the view which was enforced on a well-known occasion by Lord Roberts, that matters of this kind, constituting as they really do civil offences, should be dealt with by civilian punishment. This is what Lord Kitchener said :

"The genuine conscientious objectors will find themselves under the civil power."

If that were true at the present time I should not be asking this question. . . .

I may remind your Lordships, to show you in what a curious way this Act operates, that it prevents even the prerogative of mercy being exercised by the Home Secretary. If a man is put into prison under these conditions, and the Home Secretary thinks that the prerogative of mercy should operate, and the man is released, the moment he comes out he is again court-martialled and sent back to prison. . . .

It is an extremely harsh matter that, instead of one long sentence, which is bad enough, a particular individual is subjected under successive punishments to shorter terms of imprisonment with the result that the harshest part of his sentence is reiterated over and over again. . . . No man ought to be subjected to these successive terms of imprisonment because he acts up to what he believes is right and just. Punish a man, but punish him in relation to his offence ; and when that offence has been punished, there ought to be an

end of the matter. The man has not committed a new offence during the period he has been in prison, and I can find no justification for the successive imprisonments to which I am referring. They were never intended when the Act of Parliament was passed, as will be seen from the quotations I have already read to your Lordships. . . . This is a civil offence against the State for which the man has received punishment, and according to every principle of our criminal law when a man has once received punishment he is free of the offence and can begin life again. . . .

But having regard to the questions which I have given from Lord Kitchener, Mr. Walter Long, and Mr. Asquith, and having regard to the general principle, it appears to me that these successive terms of imprisonment are in their essence unfair and unjust. . . .

*The Lord Archbishop of Canterbury*— . . . We have the undoubted fact that there are men in prison at this moment to whom the words quoted from the Act and from the Local Government circular by the noble and learned Lord and the words which were used in both Houses of Parliament apply as to their absolute conscientiousness of conviction and purpose—blind, foolish, if you will, but absolutely straightforward and conscientious—a conviction held with such thoroughness as to make them feel that they would rather die than abandon it. We have the problem before us of how to reconcile the exercise of the authority resting in such hands as I have described with the fact that these men are at this moment in prison, after years of imprisonment some of them, at any rate many months, men whose honesty is undoubted, men whose high character is unchallenged, and who are perfectly certain not to be shakeable in their conviction, however

unreasonable and preposterous that conviction may be. . . .

But nobody can doubt that there are at this moment men undergoing terms of imprisonment whose character is high, whose motives are unimpeachable, however extraordinary and illogical we may deem them to be ; and you are not going to shake them by the adding of month after month or year after year of penal infliction upon them. The more genuine and fundamental are the man's convictions the more certain you may be that he is not likely to be shaken by the mere continuance of what is little short of torture to an educated man. . . .

*Earl Russell*— . . . I ask myself, " What is the State doing in this matter ? What are the Government doing ? " Are we not pursuing a policy which is making us ridiculous and which is actually doing harm ? Whenever any organised Government comes up against people of this irrational character, people with convictions which you must admit are profound, and which you cannot get over by force, you must find, if you can, some way, as I have said before on this subject, which reduces as far as possible the soreness and the irritation which is caused. . . .

*The Earl of Derby*— . . . All I say is, and I adhere to it, that these men have to stay in prison or do national work.

*Lord Courtney of Penwith*— . . . It is summed up, as the noble Earl behind me (Lord Russell) said, in the one offence that the man refuses to be a soldier at all. He looks upon this business as one vitally affecting his innermost life and soul, and he will have nothing to do with it. When you get hold of a man in that position, as I said before, you had better have as little to do with



him as possible. He will beat you in the end, and he will put you in a position which you cannot sustain, and you have already got into such a position. . . . The noble Earl (Lord Derby) says that these men in a great crisis are refusing to do any work of national importance. No. They are refusing to accept orders from you to do a work which may be of national importance. I speak for nine out of ten at least. Their whole lives before were devoted to work of national importance. Leave them alone, and they would resume that work of national importance. . . . At present the military authorities have nothing before them but an unending series of courts-martial on men for refusing to obey some military order. A sentence is pronounced, involving all that follows: the time expires, or is reduced; the man comes out. Then another military offence, and a further court-martial. And that unending series, with all its scandal to the good sense and political wisdom of this country, may go on as long as the war lasts. . . .

On June 27, 1917, Mr. Forster stated that the Army Council had changed its policy in regard to the commutation of court-martial sentences imposed on Conscientious Objectors. It had "decided to make no more remissions." Conscientious Objectors will now actually serve sentences of two years' hard labour, which is considered one of the severest sentences in the criminal code. See *Hansard*, June 27, 1917.

## II

### FACTS ABOUT CONSCIENTIOUS OBJECTORS IN PRISON

(As recorded up to July 1, 1917)

THE following records of Conscientious Objectors who have refused alternative service and work under the Home Office Scheme have been obtained. They refer only to cases in which full particulars have been furnished. They do *not* represent the total number of such men.

|   |       |
|---|-------|
| Number of men who have, when in prison, either<br>refused to appear before the Central Tribunal,<br>or refused the Home Office Scheme . . . | 710   |
| Number of men who have returned to prison<br>from Home Office Work Centres on grounds<br>of principle . . . . .                             | 107   |
|   | <hr/> |
| Total . . .   | 817   |

**Occupations.**—The figures given below show the normal occupation of some of these men :

|                                      |    |
|--------------------------------------|----|
| Bootmakers and Leather Workers . . . | 14 |
| Civil Service Clerks . . . . .       | 13 |
| Railway Clerks . . . . .             | 10 |
| Engineers and Mechanics . . . . .    | 27 |
| Farmers and Farm Labourers . . . . . | 17 |
| Gardeners . . . . .                  | 6  |

|                                       |    |
|---------------------------------------|----|
| Labourers . . . . .                   | 13 |
| Miners . . . . .                      | 6  |
| Policemen . . . . .                   | 2  |
| Post Office Employees . . . . .       | 14 |
| Professional Men—                     |    |
| Architects . . . . .                  | 4  |
| Chartered Accountants . . . . .       | 6  |
| Dentists . . . . .                    | 3  |
| Solicitors . . . . .                  | 2  |
| Schoolmasters and Lecturers . . . . . | 15 |
|                                       | 53 |

*N.B.*—The work in prison consists of manual labour, such as the making of mail-bags, or ships' fenders, or laundry work. Prisoners also do the institutional repairs, such as cobbling, painting, or plumbing, when necessary. In rare cases men have been given gardening work.

**Prisons.**—The following figures give an indication of the number of men now serving sentences in some of the larger prisons :

|                                     |     |
|-------------------------------------|-----|
| Birmingham (Winson Green) . . . . . | 19  |
| Carnarvon . . . . .                 | 24  |
| Dorchester . . . . .                | 49  |
| Dublin (Mountjoy) . . . . .         | 29  |
| Durham . . . . .                    | 32  |
| Edinburgh (Calton) . . . . .        | 13  |
| Exeter . . . . .                    | 49  |
| Leicester (Welford Road) . . . . .  | 16  |
| Liverpool (Walton) . . . . .        | 14  |
| Maidstone . . . . .                 | 45  |
| Newcastle-on-Tyne . . . . .         | 20  |
| Pentonville . . . . .               | 27  |
| Portsmouth (Kingston) . . . . .     | 19  |
| Shrewsbury . . . . .                | 31  |
| Wandsworth . . . . .                | 111 |
| Winchester . . . . .                | 88  |
| Wormwood Scrubs . . . . .           | 57  |

**Religions.**—The religions of 307 of these men have been reported :

|                            |    |
|----------------------------|----|
| Baptist . . . . .          | 12 |
| Church of Christ . . . . . | 7  |

|   |   |   |   |   |   |     |
|---|---|---|---|---|---|-----|
| Church of England                         | . | . | . | . | . | 17  |
| Congregational                            | . | . | . | . | . | 28  |
| International Bible Students' Association | . | . | . | . | . | 6   |
| Jews                                      | . | . | . | . | . | 13  |
| Plymouth Brethren                         | . | . | . | . | . | 2   |
| Presbyterian                              | . | . | . | . | . | 4   |
| Primitive Methodist                       | . | . | . | . | . | 8   |
| Roman Catholic                            | . | . | . | . | . | 7   |
| Salvation Army                            | . | . | . | . | . | 2   |
| Society of Friends                        | . | . | . | . | . | 109 |
| Spiritualist                              | . | . | . | . | . | 5   |
| Theosophist                               | . | . | . | . | . | 5   |
| Unitarian                                 | . | . | . | . | . | 14  |
| Wesleyan                                  | . | . | . | . | . | 19  |
| Agnostic or Atheist                       | . | . | . | . | . | 27  |
| Miscellaneous                             | . | . | . | . | . | 22  |

*June 1917.*

A few typical examples of men who have refused all forms of exemption and work under the Home Office Scheme are given below out of many hundreds:

### MAURICE L. ROWNTREE

Mr. Rowntree is a Quaker, aged thirty-five, the son of the late Joshua Rowntree, M.P.

After taking his degree at Oxford he gave himself to the study of social subjects and accepted the post of lecturer to the Swarthmore Settlement in Leeds, a college for men and women who desire to continue their education at evening classes. The students are to a large extent working men who have proved themselves keenly interested in a wide range of subjects. Latterly, in addition to lecturing, he gave some time to helping at a temperance café recently opened in a very poor district in Leeds.

The Local Tribunal gave him twenty-one days in

which to find work of national importance, but as his own work was not considered to come under this heading he was unable to accept the conditions. His case was dismissed by the Appeal Tribunal in spite of protests from two members of the Tribunal who testified to the value of his work. He was arrested, sentenced by court-martial to two years' hard labour, commuted to 112 days, and taken to Wormwood Scrubs. He is now serving his second court-martial sentence of two years' hard labour.

He was Vice-President of the Scarborough Free Church Council, who, on March 16, 1917, unanimously adopted the following resolution :

" That this Free Church Council strongly protests against the severe sentence of two years' hard labour passed upon one of our Vice-Presidents, Maurice Rowntree, whose sincerity in taking the stand he has taken as a conscientious objector no one doubts who has been associated with him as we have in religious life and work, and that a letter be sent to the Premier emphatically stating our views upon this matter."

The following extract from his statement at the Police Court shows his point of view :

" He thought that he was called upon, with what effort and strength he had, to work with a view to a different order of life, and a different way of settling disputes altogether. In doing that he felt it became of international importance, affecting every nation, and first of all, his own. It seemed to him tremendously tragic that the great heroism, which he honoured with all his heart, was devoted to work for destruction. He felt it was the logical outcome of a system of life which had been prevalent in every nation. He held in detestation the infamous actions of Germany. He



wished them to be quite clear about that. But he thought that really war would never bring peace, except the peace of death."

### A. FENNER BROCKWAY

Mr. Brockway was born in Calcutta in 1888. His father, the Rev. W. G. Brockway, is on the staff of the London Missionary Society. His grandfather, an uncle, and an aunt were also missionaries. His mother was an active supporter of the Temperance Movement in India. She was also one of the pioneers in establishing schools for Indian girls. Mr. Brockway is a journalist; he was sub-editor of the *Christian Commonwealth*, and when arrested was editor of the *Labour Leader*. He was educated in England. His interest in social problems, always profound, was stimulated by his experience when he worked for a year at a Settlement in connection with the Claremont Central Mission, Pentonville.

He has travelled in Belgium, Germany, Austria, Switzerland, Italy, and France. In November 1914, Mr. Brockway wrote a letter to the Press which resulted in the formation of the No-Conscription Fellowship, of which he was the first Honorary Secretary.

Mr. Brockway, together with other members of the National Committee of the No-Conscription Fellowship, was fined £100 and costs, or two months' imprisonment, for publishing a leaflet demanding the repeal of the Military Service Acts. This sentence he served in Pentonville Prison.

The Local Tribunal exempted him from combatant service with the proviso that he should undertake work of national importance under the Pelham Com-

mittee. The Appeal Tribunal dismissed his case, but gave him leave to appeal to the Central Tribunal, who gave him exemption conditionally upon undertaking work of national importance. He was arrested in November 1916, and is now serving his second court-martial sentence of two years' hard labour, commuted to six months. His first sentence was 112 days' hard labour.

### STEPHEN HOBHOUSE

Mr. Stephen Hobhouse is the eldest son of the Right Hon. Henry Hobhouse. He is thirty-six years old, married, and has been a convinced Quaker for the last ten years, taking an active part in the informal ministry of that body. He lived at 36 Enfield Buildings, Hoxton, in a workman's flat, a life of considerable privation. He is well known and much respected as a preacher at the "Friends' " Meetings, and as a social worker among the poor of the East End. He has definitely resigned his position and prospects as his father's eldest son, and has for many years been opposed to war and military service from deeply spiritual and religious motives. There can be no difficulty in proving that he held, and constantly expressed, these opinions for many years prior to the war.

The Quakers have no ministry, but Mr. Hobhouse holds among them in practice a position that in another sect would be that of a minister of religion.

Mr. Hobhouse was a Scholar at Eton College, was in the "Newcastle Select"; while at Balliol College he took a First-class in Moderations and a Second in Greats. He is well known to a very large circle as a man of the highest worth—both morally and intellectually. There can be no doubt as to Mr. Hobhouse's

courage and as to his being willing to face any danger or trouble for the sake of his religion.

He worked, greatly respected, for seven years in the Board of Education, resigning his post to go to Constantinople as a volunteer for work among the refugees in the mosques of that town, where he shared the privations of these unfortunate people during the first Balkan War.

Mr. Hobhouse is undoubtedly physically unfit for active service, and would be useless to the army. He has suffered from dilatation of the heart since the age of ten, and was never able to join in the games at school or college. For the past ten years he has suffered from somewhat serious distension of the stomach. He is also extremely short-sighted. Sir Thomas Barlow has given a certificate as to his unfitness, having known him since childhood. He was pronounced by the army doctor unfit for the hard labour sentence nevertheless imposed on him.

It may be well to state that Mr. Hobhouse's three brothers are in the army, one having been twice wounded, and his family generally are strongly in favour of prosecuting the war, but they feel that Stephen Hobhouse, the Quaker preacher, should have been totally exempted, and permitted to continue his merciful work in the service of his God and his country.

Mr. Hobhouse is now serving a sentence of two years. He has already served one sentence of 112 days' hard labour.

*Stephen Hobhouse's second Court-martial Defence,  
Newton Abbot, March 30, 1917*

"At my first court-martial at Warminster in November last, when I was sentenced to six months'

hard labour for the precisely similar offence of refusing to put on military uniform, I tried to make my position quite clear. Four months of vigorous confinement in a prison-cell have only confirmed my belief that the methods of war and violence, and, I may add, those of the prison system, are not the ways in which aggression and evil are overcome."

### J. SCOTT DUCKERS

Mr. Scott Duckers was brought up in the North of England. He had been in legal work as an articled clerk and solicitor for the last sixteen years. He had been qualified for over ten years, and for eight years prior to his arrest practised on his own account at 27 Chancery Lane, London.

He acted as political secretary to Mr. Herbert Samuel in 1910.

His voluntary work as Poor Man's Lawyer at the churches of the Rev. F. B. Meyer and of the Rev. Thomas Phillips took up much of his spare time. He was Chairman of the Stop-the-War Committee, and has always been opposed to participation in warfare.

Mr. Scott Duckers did not appeal to the Tribunals. He was arrested on April 24, 1916. He has been court-martialled three times. His first sentence was 98 days' detention; the second was one year's hard labour, afterwards commuted to 112 days; the third, which he is now serving, was two years' hard labour.

When the Home Office scheme was in course of formation in June 1916, Mr. Scott Duckers was asked by the Commandant at Gosport what kind of civil employment he would undertake if set free, and on replying that he would accept "reasonable employment of

the sort for which he was qualified," was permitted to send a letter to the Committee. The following extract from this letter indicates Mr. Scott Duckers' attitude towards the scheme :

" . . . I do not feel able to work either for a Government Department or for a Military Contractor, and this is a point of principle. . . . If it is impracticable for me to return to private practice, the position would be met, I think, if it were possible for me to secure employment in the legal department of a railway company. I do not stipulate that it should be to do the work of a solicitor, but in default of anything better I would work as an ordinary clerk under whatever are recognised as fair conditions by Trade Unionists, though not as a conscript."

He received no reply to this letter, but about a month later was sent to Wandsworth to appear before the Central Tribunal. On arrival there Mr. Duckers told the Committee that he had scarcely any information about the scheme and did not wish to go before the Tribunal.

He describes his subsequent experiences in the following statement before his second court-martial :

" . . . On arrival there I saw the Commandant and explained that I was almost completely in the dark, and had no desire to go before the Tribunal at all. He sent for some official papers and very kindly did all he could to let me know the position of affairs, the result being that I found the so-called 'scheme' outlined industrial conscription of a politically objectionable kind. When I said that I would have nothing to do with it and did not wish to see the Tribunal, the reply was that the Tribunal insisted on seeing me and that I must go. Being a prisoner I was taken by two



non-commissioned officers to the Tribunal Room, and had to explain my position over again. Quite definitely, but I hope not offensively, I refused to have anything to do either with the Tribunal itself or the scheme in general."

### G. H. STUART BEAVIS

G. H. Stuart Beavis was born in 1880. At Latymer Road School, Edmonton, he gained a scholarship. He has lived in Germany and France and speaks both languages. He became assistant manager of a pipe factory where he remained until the Military Service Act compelled him to leave. He was a teacher of languages at the Working Men's College, Crowndale Road, N.W.

His convictions are the result of his early training and his intimate association with men of various nationalities. It was his intense belief in the brotherhood of men of all nations which led him to study languages and the literature of other lands.

The Tribunals exempted him only from Combatant Service, which did not meet his case.

On May 25, 1916, he was arrested and taken to Mill Hill. There he refused to obey all orders, and was forcibly stripped and dressed in khaki and sent to the guard-room. The next day he was put in the 3rd Eastern Non-Combatant Corps attached to the 10th Border Regiment, and sent to Seaford.

On or about May 31 he was sent in handcuffs to France. (Mr. Tennant said in the House that these men went as free men. Beavis went at least to the boat in handcuffs.)

On June 7, or a few days before, he and the other Conscientious Objectors with him were told that they

were now in the war zone and liable to be shot for refusing to obey orders. His comment on writing to his mother was: "Do not be downhearted; if the worst comes to the worst, many have died cheerfully for a worse cause."

He was court-martialled at Boulogne. His sentence was "Death by shooting," commuted to ten years' penal servitude. He was returned to England and sent to Winchester Gaol. The Central Tribunal, who considered him to be genuine, offered him work under the Home Office Scheme, which he refused. He is now in Maidstone Gaol.

### HERBERT RUNHAM BROWN

Mr. Herbert Runham Brown is the son of Frederick William Brown, who has been a Congregationalist for twenty-seven years, and still is Superintendent of Hoxton Academy Sunday School; grandson of the Rev. Frederick Brown, who for twenty-five years was a minister of Sheen Valley Congregational Church, Mortlake.

The Local Tribunal agreed that Mr. Brown was sincere; *three* members voted for absolute exemption and four against; the result was exemption from combatant service. The Appeal Tribunal withdrew his exemption from combatant service and dismissed the case. Mr. Brown was subsequently arrested, and has since then been court-martialled three times. He has served sentences of 112 days' hard labour and six months' hard labour, and has entered upon his third term of two years' hard labour.

Mr. Runham Brown has also been tried under the Defence of the Realm Act for circulating a letter from

a Conscientious Objector, named G. H. Stuart Beavis (see above), in France, in which Beavis stated he had been threatened with the death penalty. Beavis, who was brought from Winchester Gaol to serve as a witness for the defence, entirely corroborated Mr. Brown's statement; but nevertheless Mr. Brown was fined £50 or two months' imprisonment. He appealed against this decision, and was brought from Wormwood Scrubs for the hearing on October 28, 1916. The Appeal was dismissed.

#### GEORGE ARTHUR SUTHERLAND

Mr. Sutherland is a Quaker. He was born in Aberdeenshire, and taken to South Africa at the age of seven. He was brought up there, and, except for three years at Cambridge and Glasgow, did not leave that country until May 1915, when he contracted blood-poisoning, and the doctor advised him to come to England for treatment. He is a B.A. Cantab. and Cape of Good Hope; has been a University Lecturer (Physics and Mathematics) in South Africa, and was teaching at Harrow when the Military Service Act came into force. As a student at Cambridge and Glasgow he helped with Boys' Clubs. When lecturing in South Africa he gave pacifist addresses to the Christian Union, and whilst at Harrow he went twice weekly to an East End Club.

The non-combatant work which was offered him by the Appeal Tribunal did not meet his objection, and he was arrested in April 1916, court-martialled, and sent to prison to serve a sentence of 112 days' hard labour, after which he was released on indefinite furlough. He declined to accept work under the Home Office Com-

mittee, and was subsequently returned to his unit, court-martialled again, and sentenced to one year's hard labour, commuted later to six months' hard labour, and he is now a prisoner on parole at Dublin barracks pending the reply of the Army Council to his request that his case might be re-heard by the Tribunal.

### REGINALD CLIFFORD ALLEN

Mr. Clifford Allen was born at Newport in 1889. He was awarded a scholarship at Berkhamstead School in 1904. From there he went to University College, Bristol, and thence to Peterhouse, Cambridge, which he entered in 1908 as an Exhibitioner.

Since he left Cambridge his energies have been devoted to the Labour Movement ; he helped to found the *Daily Citizen*, for which he acted as general manager. He was also one of the founders of the No-Conscription Fellowship in November 1914, and was its first Chairman.

The Local Tribunal dismissed Mr. Clifford Allen's case. The Appeal Tribunal granted him exemption conditional upon undertaking work of national importance. He did not comply with this condition as it did not meet his objection, and he was subsequently given a non-combatant certificate.

He was arrested on July 31, 1916. He has served court-martial sentences of 112 days' hard labour and six months' hard labour, and has lately been sentenced to two years' hard labour, and returned to prison.

The following extract from Mr. Clifford Allen's defence before his third court-martial indicates his point of view :

“ I am not a Christian in the accepted sense of any denomination. I am a Socialist. I have before previous courts-martial stated my belief that the method of warfare is socially and morally wrong, whatever the pretext for which it may be adopted.

### *All Wars—and this War*

“ But in addition to this belief I wish to make it clear that I cannot take any share in military work in this war, because I believe there is no substantial reason to prevent peace negotiations being entered upon at once. I believe that you sitting here and the *peoples* of all nations on both sides are yearning for peace. I believe that the *Governments* of all nations are too afraid of releasing their peoples to make peace.

### *The Question*

“ A Cabinet Minister has stated officially that so far in this war seven million human beings have been killed in all the nations and forty-five millions wounded. The question every citizen has to consider is :

“ ‘ *Will there be such a supreme difference between peace now and peace in, say, two years’ time as to justify the supreme sacrifice of say another seven million lives ?* ’

“ I submit that the difference will prove so trivial in comparison with the sacrifice involved that the peoples of all the nations will look back with amazement when they come to realise how the Governments permitted and instigated this sacrifice to achieve so small a result.

“ The issue of territorial adjustment could be settled round a table to-morrow. The only other problem is the crushing of German military tyranny. On this



point I am, as a Socialist, united with my own nation and Government in desiring to overthrow German autocracy, but I differ from my Government in contending that the only way of securing this object is through the medium of peace. Whilst the war continues and the German nation thinks itself in danger, the German Government will be successful in persuading the people to support it. Remove this menace by the establishment of peace, and the German democracy will at once assert itself, and, remembering the example of Russia, overthrow Kaiserism and all that it stands for.

“ Thus it seems to me that the postponement of peace, with the consequent certainty of enormous sacrifice of life, will not make any appreciable difference in territorial and similar peace terms, but will, in fact, delay the achievement of the really important object of the Allied Powers, namely, the overthrow of German militarism and Prussian autocracy.

“ I will not take any part in a war which I believe could be brought to so immediate and satisfactory a conclusion.

### *Because I love Liberty*

“ Such being my attitude to all war, and to this war, I can, of course, in no way acquiesce in conscription, which is designed to equip the nation for war. I have an additional reason for this. I shall continue in prison to refuse every offer of release which demands from me any sort of acceptance of conditions which originate in conscription, even though they may be of a civil character. I resist war because I love liberty. Conscription is the denial of liberty.

“ If I hold that war and militarism are evils which

will only cease when men have the courage to stand apart from them, I should be false to my own belief if I avoided the dangers of military service only to accept some safe civil work as a condition of exemption from such service.

“ This country is faced with the most insidious danger that can confront a free people in the claim of the State to dispose of a man’s life against his will, and what is worse, against his moral convictions, and of his service without his consent. A war which you can only win by the compulsion of unwilling men and the persecution of those who are genuine will ultimately achieve the ruin of the very ideals for which you are fighting.

“ You can shut me up in prison over and over again, but you cannot imprison my free spirit. The duty of every citizen is to serve his fellow-men. In all humility I believe I am being faithful to this obligation of citizenship by pursuing my present policy.

### *The Duties of Citizenship*

“ The Government in the House of Lords yesterday resisted the demand of Lord Parmoor and the Archbishop of Canterbury that repeated punishment for what is actually the same offence should cease. The Government argued that a conscience which declined every form of service was an immoral conscience. My reply—as I have already stated—is that we fully recognise the duties of citizenship, and that it is not the act of service we refuse, but service imposed in such a way as to make us condone conscription. If granted absolute exemption to-morrow, we should feel the obligation of citizenship more insistently than

ever. The longer you persecute us men the stronger and more sincere you render us. The more you attempt to break our spirits, the more you assure our opportunity of infusing inspirations amongst other groups of men and women, and other organisations which are far more powerful than we can hope to be for many a day, and the more certainly you establish our hope that the spirit of Russian freedom shall not be confined within Russian national boundaries.

### *The Impotence of Tyranny*

“ You can isolate us for a time from the joys of an active free life of service, but in so doing you will only bring us into truer harmony with all that is most fearless and enduring and vital in the life of the world. Instead of rendering us bitter, you are giving us the chance of discovering the strength of love.”

### THOMAS CORDER CATCHPOOL

Mr. Corder Catchpool is a Quaker, aged thirty-three. A few weeks after the war broke out he went to Flanders with the Friends' Ambulance Unit, but after a year and a half felt impelled to give up this work and return to England to take his stand with other Conscientious Objectors. He was arrested, and has served a sentence of 112 days' hard labour. His second court-martial sentenced him to two years' hard labour, with recommendation to mercy in view of his ambulance work at the front. He is now in prison.

He made the following statement on his position before his second court-martial :

“ . . . On the outbreak of war there was great

need for ambulance workers. I could not join the army, even for this service, but I immediately left my profession and qualified for Red Cross work. After a few weeks' training I offered myself for voluntary service on the battlefield, with a little ambulance unit organised by a few young Quakers, the religious body to which I have belonged since childhood.

"We went out to Ypres when the fate of Flanders still hung in the balance. I little expected ever to return, and asked only the privilege of serving, for a few weeks at least, in saving life. . . . For nineteen months I was spared to continue this work at the front. . . . Meanwhile, however, the medical services had become completely organised. Voluntary units were either dispensed with or practically absorbed into the regular armies. The wounded no longer lacked help, the R.A.M.C. being often closed to applicants. Men displaced from the services taken over by the unit, of which I had become Adjutant, were often drafted to the firing-line, and complained bitterly that I and my colleagues had sent them there. I was baffled more and more by the consciousness that, under military control, the primary object of our work was the refitting of men to take their place again in the trenches.

"Conscription followed, and it seemed to me that for one called to serve in the cause of peace, the position was becoming impossible.

"At home, men who stood for the same ideals as myself were being reviled as cowards and shirkers, and forced into the army against their principles. When some of them were sent to France, and became liable to death penalty, I hesitated no longer. It seemed to me more honest and more manly to take

my stand with them, make public profession of my faith, and accept the consequences.

" I could have obtained exemption by continuing ambulance work, had I felt it right to do so. I was begged to secure it by undertaking some ' alternative service ' recognised as important in organisation for war. But I am enlisted in the highest service I know, the formation of a world-fellowship of men prepared to die rather than take part in war, and the foundations of such fellowship, which is already spreading from country to country, cannot rest upon compromise.

" I went before the Tribunals, and was refused the absolute exemption provided by the Act for genuine cases. I was committed to prison, and have just finished a sentence of 112 days' hard labour in the third division.

" I have many friends in the army. I admire their courage. I understand and honour their obedience to duty. I believe that the hardest course a strong young man, eager for service, could be called upon to follow at a time like the present is to stand aside and withhold from sharing their sublime self-sacrifice. I ask the officers before whom I stand to believe me that it is so in my own experience, and that only a supreme sense of duty enables me to take this course. The spectacle before the world to-day of two great nations slaughtering each other's manhood, starving each other's women and children, strengthens my faith in the better way of life which I have outlined, and lays upon me afresh the duty of proclaiming it."

HENRY PACKWOOD ADAMS, M.A., AGED 36

Mr. Adams, who was a Coach at Cambridge Univer-



sity, appealed for absolute exemption as a Conscientious Objector on moral and political grounds. He was given a week in which to obtain work of national importance—not education. This he refused. The Tribunal then exempted him from combatant service, and this decision was confirmed by the Appeal Tribunal. He is now serving a sentence of one year's hard labour in Wormwood Scrubs. He has refused the Home Office Scheme.

### OSWALD CLARK

Oswald Clark has been for six years a tanner, currier, and leather merchant. He was in partnership with some cousins. Up to the time of his arrest they had taken no Government contracts, but as they knew that some of the leather was going to firms that did, he told his partners that during the war he could take no profits, and is only receiving interest on his capital, which is fixed at the same rate as it was before the war.

He is a birthright member of the Society of Friends, and has held his present views on war all his life. He is a member of a well-known Doncaster Quaker family. In 1912 he accompanied Mr. Foster Brady on a "Peace Tramp," and was assisted at meetings held in various towns in Yorkshire.

The Local Tribunal granted him exemption from combatant service only. The Appeal Tribunal recommended him for the Friends' Ambulance Unit. He was refused leave to appeal to the Central Tribunal.

He has been court-martialled three times. His first sentence was 112 days' imprisonment; the second, two years' hard labour, commuted to six months;

and the third, which he is now serving, eighteen months' hard labour.

### J. H. HUDSON, M.A.

Mr. Hudson is a schoolmaster, who has been employed by the Salford Education Committee for some time before the outbreak of war. He has been a Member of the I.L.P. for the last ten years.

Mr. Hudson was ordered to find work of national importance by the Swinton and Pendlebury Local Tribunal; his case was dismissed by the Appeal Tribunal, but he was given leave to appeal to the Central Tribunal, which gave him twenty-one days in which to find work of national importance.

Mr. Hudson felt himself unable, for reasons given below, to comply with this condition, and was subsequently arrested, court-martialled, and sentenced to two years' hard labour, commuted to 112 days' hard labour. He is now serving his *second* sentence of two years' hard labour.

Among his replies in writing to questions put by the Local Tribunal were the following:

3. "Very emphatically, both in public and in private, have I urged in the Labour Movement that no cause can justify the taking up of arms; not even in the justest of causes, that of the workers in the great class war."

5a. "I held my present convictions against war quite definitely during the Boer War, and for some years prior to that. For how long I cannot definitely remember."

8. "My father's attitude and my own in the Boer War—unrelenting opposition to war on Christian

grounds—reduced my father's income as a country schoolmaster 50 per cent and his family to penury. I was in college at the time, and paid my share of sacrifice in the stunting of all my opportunities."

10a. "I am not prepared to take on or continue what is called work of national importance merely *as a condition of being exempted*. When a man holds such beliefs as mine, he must be prepared to suffer for them, until he can get the law of the land and the majority of his fellows to accept the validity of his beliefs. . . ."

The Chairman of the Local Tribunal in giving his decision stated that the Tribunal believed him to be quite sincere.

In his Appeal sent to the Central Tribunal on August 16, 1916, Mr. Hudson stated:

"The Appeal Tribunal would have been willing to grant me an exemption as a teacher in a Secondary School, and as one member of the Tribunal put it, greatly deplored my unwillingness to accept this easy way out of a difficulty. It is just because I feel the offer so easy, at a time when people at the front and at home are suffering so terribly, that I feel it would be very wrong of me to accept it."

### WALTER H. AYLES

Mr. Ayles has for many years taken an active interest in the Labour Movement. He has been a Poor Law Guardian and a Borough Councillor. He is the prospective Labour Candidate for East Bristol.

The Central Tribunal offered him exemption conditional on taking work of national importance, but he could not accept the offer and was arrested. He has

been court-martialled twice ; the first sentence was 112 days' hard labour, and the second, which he is now serving, one year's hard labour.

He made the following statements in his defence before court-martial :

" . . . I am profoundly opposed to war because I believe it to be wrong, and to all forms of service which will either directly or indirectly assist in the prosecution of war, or which are given as alternatives to military service. There is to me no difference in principle between being in a line regiment, the N.C.C., or in Class W of the Army Reserve, doing so-called work of national importance. If I believed in war my place would be in a line regiment, and in no other, serving in the trenches.

" I cannot consent, however, to be involved in the administration of the military system in any way. For many years my life and work have been governed by certain definite principles, based on the sanctity of human life. They have governed my political work as a Guardian of the Poor in Birmingham, as a City Councillor of Bristol, and as a member of the Socialist Movement. They have governed my attitude with regard to war, both social and international."

### DOUGLAS RALPH BISHOP

Mr. Douglas Ralph Bishop, fruit-grower and pre-server, of Tunbridge Wells, is a member of the Society of Friends, and has been an Assistant to Friends' Home Mission.

He claimed absolute exemption from military service on religious grounds, and appeared before three Tribunals, all of which recognised the sincerity of his

convictions, but only excused him from combatant service.

On April 19, 1916, the Central Tribunal made Mr. Bishop's their first absolute exemption test case. After admitting that his objection was a genuine one, they maintained that his claim to absolute exemption was not recognised by the Military Service Act or by the laws of any organised state.

He was arrested on May 2, 1916. While serving his first court-martial sentence of 112 days' hard labour he was offered and refused work under the Home Office Committee. His subsequent court-martial sentences have been six months' hard labour and two years' hard labour. He is now in prison. The day before his last court-martial, Mr. Bishop was examined by three army doctors, two of whom declared that prisoner's health would not stand a third term of hard labour. Upon promulgation of sentence he was again taken before doctor, who confirmed his previous decision. Notwithstanding this, Mr. Bishop was removed to Winchester with no mitigation of his sentence.

### ERIC P. SOUTHALL

Eric Southall is a birthright member of the Society of Friends, has always held strong peace views, and has done work among Friends on peace lines.

The Local Tribunal exempted him from combatant service, and his case was dismissed by the Appeal Tribunal.

At the Tribunals he claimed absolute exemption, definitely stating that though his own work (apprentice to chartered accountant) was of national importance he would not appeal on that ground. The Appeal



Tribunal complimented him on the way he put his case, and stated that they refused his claim *with regret and reluctance*.

Arrested on June 2, 1915, court-martialled, sentenced to 112 days' hard labour. He appeared before the Central Tribunal, who considered him genuine and *even went so far as to remark that they could not understand why he had not been given absolute exemption at first*. They offered him work under the Home Office Scheme, which he refused. He has since then been twice court-martialled ; his sentences were six months' hard labour, and eighteen months' hard labour. This last sentence he is now serving.

The following extract from his court-martial statement indicates his views :

" . . . I believe war is entirely contrary to the spirit and teaching of Christianity and the other great religions of the world, nor have I any right to rob a fellow-man of life—a divine gift I cannot restore. This objection extends to aiding and abetting killing, and so making an unworthy bargain with those prosecuting the war. My claim has been, and is now, that there is a higher claim than that of a country. Where these two laws conflict I must follow the way shown me by my conscience, not counting the consequences. Hitherto the consequences have been hard labour in a civil prison. This is no pleasant life, but rather than betray my religious and moral convictions I am prepared to return again until I am given absolute exemption."

MALCOLM SPARKES

This account is quoted from Mr. Cotterell's letter in the *Middlesex Advertiser* :

“ Mr. Sparkes is a member of the Society of Friends, to which his ancestors have belonged for generations. For years before war broke out, he was an enthusiastic worker for the cause of peace, and was deeply interested in promoting the celebrations to commemorate the hundred years of peace between Britain and the United States.

“ Mr. Sparkes went to the Tribunal claiming total exemption from military service on conscientious grounds allowed by the Act. The Tribunal gave him time to take up work of national importance approved by the Pelham Committee. Sparkes having obtained this work, the Tribunal changed their minds without troubling to hear him, and gave him non-combatant service. To a Quaker of Mr. Sparkes' calibre, to be a non-combatant is the same thing as to be a combatant, so what was the use of ordering him to enter the Army as a non-combatant ?

“ Mr. Sparkes was a director in a large joinery concern. When this company became 'controlled' Mr. Sparkes decided he must relinquish his appointment. But it appears he had not done so quickly enough. The Military Representative appealed against his *non-combative* certificate, on the ground that he was recently managing a firm engaged in Munitions of War. The Appeal Tribunal took away his exemption.

“ The work that Mr. Sparkes had found of national importance was his scheme of 'National Industrial Parliaments.' The Pelham Committee recommended that the most useful piece of national non-Military Service he could perform would be to develop that scheme under the supervision of the Garton Foundation. His scheme was taken up by the Councils of the Building Trades' Unions, the National Builders'

Federation, and the Society of Carpenters and Joiners. Mr. Sparkes was invited to attend a special conference in London organised by the National Executive. Finally his scheme attracted the attention of the Government 'National Reconstruction Committee,' and the Chairman, the Right Hon. J. H. Whitley, invited Mr. Sparkes to advise him thereon. Notwithstanding this outstanding and useful work, Mr. Sparkes has been awarded two years' hard labour."

*The following resolution appeared in the Press some weeks ago :*

"That the National Associated Building Trades' Council learns with regret that Mr. Malcolm Sparkes, a member of the Society of Friends, has been sentenced to imprisonment for conscientious objection whilst engaged on valuable national reconstruction work, and requests that his case be inquired into by the Government with a view to his release, and that in the meantime facilities be afforded to him so that he can continue his work in connection with the Industrial Parliament scheme."

Malcolm Sparkes' case is typical, but does not stand alone. Without exaggeration hundreds of men equally sincere, equally useful, are rotting in prison while our country is in need of their services.

#### HUBERT W. PEET

Mr. Hubert Peet is a Quaker, aged thirty. He is a journalist, and before his arrest was acting as Organising Secretary of Friends' Service Committee and Joint Editor of *The Ploughshare*, a publication of the Society of Friends. The Tribunals gave him Non-

Combatant Service. This did not meet his objection, and he was arrested, served a court-martial sentence of 112 days' hard labour, was then returned to Military Authorities, court-martialled again, sentenced to two years' hard labour, and returned to prison.

### WILFRED WELLOCK

Mr. Wellock is a journalist, and has also had considerable experience in the cotton trade. He spent four years in Edinburgh University, and was one of the Presidents of the University Historical Society. He has been a Sunday School teacher, and a local preacher, and was well known before the war to hold strong pacifist views which he had publicly declared in preaching and speaking. He has also contributed pacifist articles and poems to various papers.

But in spite of all these facts, and the fact that he based his appeal to the Tribunals upon Christian grounds, his belief in Christian brotherhood and in the pacifist principles of the Sermon on the Mount, he failed to secure absolute exemption. As the religious denomination to which Mr. Wellock belongs does not possess a paid ministry, being closely allied to the Quakers organically as well as spiritually, an arrangement was made between the denomination and the War Office whereby all the preachers on their plan who applied for exemption should receive it. But Mr. Wellock refused to take advantage of this way of escape, as he regarded the exemption of ministers as a class privilege unjust and unwarrantable.

The Local Tribunal gave him three months in which to find work of national importance. Preston Appeal Tribunal gave him a further twenty-one days in which

to find such work. Mr. Wellock was granted a rehearing by the Local Tribunal, when he received exemption from combatant service only. He appealed against this decision to the Appeal Tribunal, and received a sympathetic hearing. The Chairman admitted that he had a very strong case, but said in view of the statement made in the House of Commons but a day or two before he did not think they could grant absolute exemption. He pleaded with the appellant to try and take work of national importance, and said they would give him a further twenty-one days in which to think the matter over, at the same time expressing his sorrow at not being able to give a better decision. He hoped the appellant would realise the difficulty of the Tribunal's position. Mr. Wellock, however, felt himself unable to accept this offer, and on January 29 he was arrested. He has served a sentence of three months' hard labour, been again court-martialled, and is now back in prison serving a second sentence of two years' hard labour.

#### RODERICK K. CLARKE, B.A.

Roderick K. Clarke was Chairman of the London and Middlesex Quarterly Meeting Peace Committee of the Society of Friends, ex-President of the Cambridge University Nonconformists' Union, and Member of the Executive of the Friends' War Victims Relief Committee. He is now serving his second sentence of six months' hard labour. His first sentence was 112 days' hard labour.



### III

## PRISON CONDITIONS AND THEIR EFFECTS <sup>1</sup>

### PRISON REGULATIONS (ENGLAND)

CONSCIENTIOUS Objectors condemned to imprisonment have, with few exceptions, all been in the third division with hard labour.

For the first twenty-eight days the prisoner is kept in solitude, in "separate confinement," in his cell, seeing no one except the warder and (occasionally) the chaplain.

For the first fourteen days of the sentence he has to sleep without a mattress, unless the medical officer orders otherwise.

After this time, if his conduct is good, he is employed on work in association with others during part of the day, if practicable. In practice, the whole time spent with others, including exercise and chapel as well as work in association, often does not exceed two hours daily.

<sup>1</sup> It is probable that few of our judges, magistrates, or legislators remember, if they have ever known, exactly what the hard labour sentence means. Yet they sentence their fellows and legislate for our criminals. It strikes us that it would be an excellent thing if these high functionaries would take a short course of hard labour, thereby qualifying themselves for their posts and incidentally expiating to some degree those sins which we all have committed.

All conversation with other prisoners is forbidden throughout the whole time of sentence. (Long-sentence prisoners of good conduct may earn the privilege of talking for a limited time on certain days.) This is a cruel deprivation to any human being, and tends to result in apathy and brain degeneration.

A prisoner undergoing a hard-labour sentence in the third division is not allowed to write or receive any letters, or to receive a visit, until two months of his sentence have expired. After two months he is allowed to write one letter and receive one visit from three relatives or friends. If a visit is impossible, he is allowed to receive and write an additional letter. After this the interval between letters and visits may be gradually reduced to one month if the prisoner's conduct is good. Conscientious Objectors derive little benefit from this regulation, as they suffer repeated short sentences. A prisoner is allowed to write a special letter on the death of a relative, or for urgent business reasons. Visits last not more than thirty minutes (in most cases only twenty minutes), and take place in the presence of a warder. The prisoner and his visitors are separated by a thick grille.

A prisoner is not allowed pencil and paper.<sup>1</sup> To an intellectual man this is one of the most serious hardships of prison life.

<sup>1</sup> It is curious to reflect that most of the Epistles of St. Paul were written when a prisoner under the more benign conditions of Roman detention; that tradition would have us believe Cervantes composed parts of the immortal *Don Quixote* in prison; Sir Walter Raleigh wrote much when in the Tower, and the world would have been without the *Pilgrim's Progress* had the twentieth-century penal restrictions been in force in the seventeenth century; while Silvio Pellico from his Austrian dungeon, and Kropotkin from his French gaol, have enriched the world's literature with their writings as prisoners.

No news of public events must be given to prisoners either verbally or in writing. For news of the world they depend upon a summary given by the chaplain in chapel on Sundays.

Prisoners other than Anglicans are allowed visits from ministers of their denomination, but there is no corresponding privilege for those who do not belong to any recognised denomination.

When a prisoner's relatives are seriously ill, there is no way by which he can see them. Even if his wife is dying, he is not allowed to visit her death-bed, or to be present at the funeral.

An increasing number of Conscientious Objectors, among others Mr. Clifford Allen, feel obliged to refuse to do work in prison on conscientious grounds, practically identical with those which lead them to refuse the Home Office Scheme. The punishments for this offence are such that most of those who have adopted this policy for any considerable length of time have become mentally deranged.

Punishment may be ordered by the Governor or the Visiting Committee. Among other punishments the Governor can order three days' close confinement, "C.C.," No. 1 diet for three days, or No. 2 diet for twenty-one days, with specified intervals, or deprivation of mattress for three days. No. 1 diet is simply bread and water. No. 2 diet includes bread, porridge, peas, and gruel.

The maximum punishments the Visiting Committees can impose are close confinement for fourteen days, No. 1 diet for fifteen days, or No. 2 diet for forty-two days, in each case with specified intervals. A prisoner can be given close confinement, coupled with No. 1 diet and deprivation of his mattress, and

these punishments can be repeated at frequent intervals.

The usual procedure when close confinement is ordered is to strip the cell of all articles, including the printed regulations and the prisoner's stool. The only books allowed are a Bible, Hymn-book, and Instruction Book. The prisoner spends all his time in this cell, except for the rare occasions on which he is taken out for exercise by himself.

The parliamentary candidate for Rossendale, Mr. Albert Taylor, who was arrested during the by-election last January, refused to work while serving his sentence of 112 days' hard labour. In consequence he was without a mattress for fifty or sixty nights. Bread and water was his only fare on forty-five out of the 112 days, and he had not more than eighteen periods, of forty minutes each, of exercise during the four months. He is now awaiting another court-martial, and will shortly be returned to prison.

#### PRISON REGULATIONS (SCOTLAND)

In Scotland the regulations are more severe than in England. Among other differences, the prisoner has to sleep without a mattress for the first month as compared with fourteen days in England.

The rules about letters and visits have been brought into line with the English Prison Regulations within the last two months. Up till then visits and letters were only permitted every three months. Restraint of limbs is prohibited in English prisons; it is an unauthorised method of punishment in Scotland, as also is confinement in a darkened cell, which is not mentioned in English Prison Regulations.

*Note.*—The Regulations for Irish Prisons are similar to those in force in English Prisons.

EXTRACTS FROM STATEMENTS AND LETTERS FROM  
CONSCIENTIOUS OBJECTORS, SHOWING CONDITIONS  
OF PRISON LIFE

**Silence and Isolation**

*Extract from letter from Clifford Allen during his second period of imprisonment :*

“ One hundred and ninety-five days of stitching, each of twenty-three hours and fifty minutes’ silence. I think the greatest torture of enforced and perpetual silence is the never-ceasing consciousness of thinking in which it results. You cannot stop thinking for an instant. And if you seem to, it is only to listen intently to the beating of your heart drumming in your ears. You cannot escape thinking about the most trivial matters of routine. I think of the very knots in the boards each time I scrub them, until I could scratch them out of the floor to rid myself of their arrogant insistence upon themselves. One inevitable result is a consequent and hopeless inability to think of those very things that are your interest, and would stimulate and hearten you. . . . And then I seem to have no way of escape from dwelling upon the horror of the war, and just because I cannot be active, my imagination is the more vivid, until I am driven almost to the breaking point of despair by thinking of all the agony of the world. . . . ”

*Stephen Hobhouse writes :*

“ Sometimes when I feel tired and ill, I long for

some little homely comfort, such as a glass of hot water or some tea and dry toast. I felt cruelly the restrictions of what seemed the most elementary needs. I did not think that my body with its weak points would stand it for long. The struggle is often intense. Prison life has its own special temptations—to selfish introspection and the like. . . . I think the worst pitch of depression was one foggy and dark Sunday, when it was impossible to see either to sew or read in one's cell, and on remonstrating in the evening with one of the warders for not giving us the gas light, he answered : ' You are not worth it—it is not a work day.' The answer sank in."

*Extract from letter from A. Fenner Brockway :*

" Personally I do not think I have suffered much, but I know how others have suffered. I know how their health is broken, how they cannot sleep at nights. I have studied their faces on ' exercise,' and have seen how white and worn they are. And worse than the physical effects is the mental and spiritual degeneration which confinement often causes. Is there a single man who has undergone a term of imprisonment who has not experienced as a result a lessening of mental grasp and a lack of the power of concentration ? In a few cases the effects are more serious ; absolute mental derangement has occurred."

*Hubert Peet writes :*

" The attempted imposition of silence is unmoral, even if not immoral ; the isolation drives the man into himself, and tempts him at every turn to fulfil the human instinct of communication with his fellows, a



course only possible by the exercise of some petty deceit or the breaking of a rule. The prison régime provides every temptation to atrophy, and to let oneself vegetate. Several times I felt acutely the danger that my pacifism might merely become passivism, and that if not watchful I might let my life develop into meals and mail-bags. . . .”

*Letter from Stephen Hobhouse on the same subject :*

“ I told the Governor that it was impossible to keep the silence rule, in fact I came to the conclusion it was morally wrong to keep it, though it is not good for one to have to regulate one’s talking according to one’s distance from the warder and his character. There is no doubt that the prison system encourages artfulness and deceit. Deadening of intellect is one of the great dangers for educated prisoners, while others, owing to harrying, spying, etc., lose self-respect and all confidence in their power to lead a strong moral life.”

*Another letter on the same subject :*

“ H. — was due out of prison (—) on January 6, but three days previously he accepted the H.O. Scheme and was sent immediately to Ballachulish. His reason was that he saw insanity looming, for he had ‘nerves’ and had not slept for five nights, and could only pace up and down the cell, thinking of suicide. He attributes the breakdown to *continuous* separate confinement, in place of the usual month of it. He brought the lack of ‘association labour’ to the notice of the Governor, who said it could not be helped as they were understaffed, the warders having been taken for the war. All the men in ‘B’ Block were so treated, and even the doors were not left open for the

allotted time on that landing, owing to absence of warders. . . .”

*Extract from letter from a young teacher :*

“ Let it suffice for the present that in spite of thirteen weeks spent in what has practically amounted to solitary confinement, my health has no serious set-back. I find, of course, that my brain seems to have become rather deadened, and my memory of names and places is apt to fail me occasionally, but such I believe are the usual and inevitable effects of being cut off from society for such a long period. . . .”

*Extract from a letter from another prisoner :*

“ . . . As a result of the general instructive (restrictive?) exercise of the power of speech, prisoners are forced into all sorts of sly underhand tricks or an open defiance of the rule (which latter is extremely rare). . . .”

*Exercise on Sunday :*

“ Prisoners (—) in the first stage, viz. serving the first twenty-eight days of their sentence, are not allowed to go out for exercise. My own experience is that constipation and headache are the result. Further, as there is no work performed on Sunday this lengthens the period of solitary confinement which occurs each week-end from 3.30 P.M. on Saturday until 6 A.M. on Monday. Except for attending Divine Service one is confined the whole time. . . .”

*Extracts describing forms of “ Association ” work :*

“ . . . Re cellular confinement (—) all C.O.’s (with the exception of the two or three prison cleaners

and one or two who assist the prison mechanics) were continually confined to their cells, and the only 'association,' if this can be called association, was that the cell doors on one side of the prison were left open in the morning, and the cell doors on the other side were left open in the afternoon. Then the following week the order would be reversed, and those that were open in the morning of the previous week would be closed in the morning and opened in the afternoon, and *vice versa*. . . . I complained several times about having to sit down too much, as the pressure of the body on the hard prison stools interfered with the natural functions of my body. The doctor said it was through lack of exercise and want of fresh air, and said that we would probably be given more exercise later, but there was no change up to the time I left. . . ."

". . . There is no association work (—) excepting that about three hours per month the prisoners are brought on to the main floor of the prison, the remainder of the time being spent entirely in the cells, with the doors open *occasionally* for a short time. . . ."

### Writing and Drawing Materials

*Extract from "112 Days' Hard Labour," by Hubert Peet:*

"There is in prison no method of recording permanently thoughts that occur to one during reading or meditation, of noting for future reference passages that may be found helpful or striking, or of making notes for plans on return to ordinary life . . . and personally the one single alteration which would go to make gaol life more tolerable than anything else would be the

provision of pencil and paper, and the permission to retain the latter on release."

*Note from another Conscientious Objector in Prison :*

" One of my chief faults in the past has been rather to dream than to do, and the danger of prison to me is that it accentuates this tendency. I am, however, full of plans for hard work when I shall regain my freedom. The deprivation I feel most keenly is that of music paper. I do not think a more refined form of punishment could have been devised for me than to prevent me from working. . . . The distinction between slate and paper is a subtle one, but all important to me."

*Mr. — writes :*

" Writing materials. . . . Because of the absence of these we cannot make a proper use of the educational facilities which are afforded by the prison system. I have been studying a language and have felt the lack of writing material keenly. Several other prisoners have also experienced the same deficiency. The slate and pencil provided is a very inadequate substitute for paper and pencil or pen and ink."

## Books

*Mr. — writes :*

" As matters stand at the present the Governor of — Prison will not allow books to be sent in to prisoners, saying that there are too many books in the library now, a statement my brother heartily endorses, and he adds that most are rubbish and not worth reading. His ' educational ' book record is as follows :

|                    |   |   |   |   |   |
|--------------------|---|---|---|---|---|
| First month        | . | . | . | . | <i>To-morrow in the Far East</i><br>(a short book).   |
| Feb. 2 to 9        | . | . | . | . | <i>Mirage of Life</i> (R. T. S.)<br>(very short book).  |
| Feb. 9 to Mar. 13  | . | . | . | . | Nil.  |
| Mar. 13 to Apr. 13 | . | . | . | . | <i>Southey's Life of Nelson</i> ,<br>which, he says, 'is not<br>much to take one away<br>from the cares of the<br>world into those higher<br>and loftier realms of<br>thought.' |
| Apr. 13 to May 25  | . | . | . | . | Nil.  |
| May 25             | . | . | . | . | <i>Sartor Resartus</i> .  |

He adds he had several good fiction works interspersed with much rubbish."

*Extract from "112 Days' Hard Labour," by Hubert Peet :*

"During the second month besides the educational book—if the library has one left—you may have a work of fiction. In the third month and onwards there may be two novels, though on request a volume of poetry or essays may be substituted for one of the latter; while, on the other hand, instead of two books a bound magazine volume may be had—and is, I believe, the choice. The last allowance may sound quite generous, but it must be remembered that reading at meal times alone would occupy three hours a day, or at least eighteen hours a week, not counting the work-free hours of Sunday. On the other hand, it must be remembered that reading or meditation is the sole manner of recreation, and one can absorb a great deal. My library list varied considerably in quantity and quality. For instance, for a week in the second month I had a volume of seventeen short stories of a

*Tit-Bits* variety, by G. R. Sims, and no educational book ; once in the third month I had A. E. W. Mason's *Broken Road*, our grandmother's favourite *The Wide Wide World*, with a text and a tear in every line, and volume four of Gibbon's *Rome* ; whilst once in the fourth stage I had *Captains Courageous*, Taine's *Notes sur l'Angleterre*, Prothero's *Psalms in Human Life*, and George Fox's *Journal*. . . ."

*Mr. — writes :*

" Libraries (——). The library was very small and contained few of the standard works. There were only one or two books of Dickens', because all the others by this author had become worn out and very many pages missing ; so they were condemned, *but not replaced*. The Chaplain admitted to me that the supply of books was very poor. He said he had written to the Home Office quite four months previously (that would be six months or more now) without success. . . . Then Sir George Cave's statement does not apply to ——, as there is *no* catalogue ; and when young chaps have not the temerity to speak up, they have to put up with the haphazard selection of the warders. . . ."

### Lack of Educational Facilities

*Extract from letter from a Conscientious Objector awaiting court-martial after release from prison :*

" The man . . . is now serving his second sentence of one year. Unfortunately he is not able to avail himself to any great extent of the diversion which most of us obtain from books. He is a farmer by trade, and except for knowledge of that branch of work is not



very well educated. Further, he has allowed himself to mope and worry, and this added to prison conditions has almost driven him insane . . . ; he has gradually gone from bad to worse until at last he has had to be removed to the hospital, and we fear that unless his release can be obtained he will entirely lose his senses. . . .”

*Extract from letter from another Conscientious Objector :*

“ At —— prison. . . . In a cell near my own there was a prisoner who used to spend a great deal of his time looking out of the window far more than most of the prisoners. I understood that he had seven or ten years to do for burglary. I asked him what books he had to read, and he stated he could not read. I asked him if he attended school to learn. He stated he did not. I suggest that all men and women who are illiterate should attend (school) in prison. . . .”

### Looking out of the Window

*Extracts from letters from Conscientious Objectors who have been in prison :*

*Mr. —— writes :*

“ This (looking out of the window) is a punishable offence; the Governor of the Prison (——) informs each batch of C.O.’s of this regulation. To my own knowledge on A3 landing the ordinary glass (clear) has been removed from the window panes and rolled ribbed glass substituted. On this landing in the cells the ventilators, which were sliding panels in the windows, have been removed, and the panes through which the

air could be freely admitted to the cell have been stopped with a pane of glass. . . .”

“ Next I should like to say there is a considerable number of cell windows of fluted glass here ; this is surely out of date and should be at once replaced by plain glass, and especially in cells that under the best circumstances would be dark, as they are situated at the angles of the building, and the light is thereby considerably cut off. Many of the ventilators under the windows are defective and much rubbish has accumulated ; they should be cleaned and repaired. . . .”

### Work on Sundays

*Extracts from letters from prisoners :*

“ . . . Again I must let you know that the Governor (——) says prisoners are now to work right up to bedtime (8 o'clock), although the prison card states ten hours' labour. Of course if one has to work all the time, books are not necessary except on Sunday, and you may be surprised to learn there is a considerable amount of work done on Sunday in prison. . . .”

“ . . . Work is carried on as usual on Sundays (——) even in the case of long-sentence men (one named —— now serving a sentence of two years), with the exception of one and a half hours for the attendance at Chapel. . . .”

### Visiting Conditions

*Mrs. —— writes :*

“ I saw him through a double thickness of closely woven and very dirty wire, which was very difficult

to see through at all. . . . This was the greatest shock to me to realise that he had not spoken ten words to any one for eight weeks. As the outsider is not supposed to suffer prison torture, why should he have to go through the shock of seeing his friends behind inhuman paraphernalia? I shall never forget the image I had after one of these visits, nor the feeling of fatigue after standing for thirty minutes in a darkened cell. . . .”

*Another relative writes :*

“ The method there (——) of interviewing prisoners was that the prisoner sat at one end of a long table, the visitor at the other end, and a warder halfway down the table between them. The distance was such that it necessitated almost shouting to each other during the conversation. . . .”

### Religious Ministration

*Extracts from letters from C.O.'s who have been in prison :*

“ . . . I told them at —— I should like to see a Quaker, but all the time I was there (ten weeks) I saw nobody but the Chaplain and the curates. I was told there was no Quaker in the district. . . .”

*Prisoners who belong to no denomination and object to attending the Church of England services :*

“ I should think that the Ethical Society or some other similar body should be allowed to visit such prisoners and to hold a monthly meeting. My own experience is that on the two week-days when the others go to Church I had to work on the landing. . . .”

## Heating

*The following extracts refer to Mr. B. — who died of consumption at — Work Centre on May 17, 1917 :*

“ He was working—standing all day—at fitting the mattresses of ship fenders (always one of the hardest jobs in prison). He was in “A” Association Hall at — along with the writer, and it was evident that he was going into a consumption. During the last two weeks in January in “A” hall we all suffered terribly from cold, and the weather was Arctic. Furthermore the heating apparatus became out of order. It took me all my time to keep well. It finished B—. On March 1 he was suffering from ague when he was liberated. He travelled to — and broke down with hæmorrhage. . . .”

“ My son has suffered from post-nasal catarrh for some years and has not had good health in consequence. As far as I know there was no lung trouble or consumption before his imprisonment. . . . One thing my son thinks helped to make him ill in prison was coming out into the grounds after a warm bath each week and having to wait in the snow or rain, as the case might be, for the men to be got together ; also the cold cell ; he tells me there was no warmth at all. . . .”

*N.B.*—He had no near relatives suffering from consumption.

*Mrs. — writes :*

“ When I met my husband coming out of prison on the 10th February last, I was horrified to see how very

badly he was suffering from the cold. His face showed this very much, and in addition to this his hands were literally covered with chilblains and the prison doctor had painted them with iodine. I was still more disturbed when he said that 'that was nothing to what they had been.' He also told me that for the last few weeks it had been so cold that he had been quite unable to read at all—he could only pace up and down his cell. I might say that normally he does not feel the cold at all, and I have never known him to have a chilblain on his hands before. . . ."

*Mr. — writes :*

" If the C.O.'s have another winter to face in prison, steps should be taken to see that an average healthy temperature is maintained in cells. Highest temperature at — he reports to be 40 degrees, but he understands the 'heating' apparatus is to be overhauled."

*Extract from "112 Days' Hard Labour" :*

" At — the floor is of boards, but in the older prison my cold feet were a perpetual reminder that I was living on tiles. In such a winter as we have been having this fact was perhaps the greatest physical hardship of imprisonment, bearing in mind that often I was only absent from the cell for half an hour out of the twenty-four. Those who wish to reproduce the test are advised to try working, sleeping, and eating in their scullery. . . ."

*N.B.*—Wooden floors in prison cells are exceptional, and are only found in the newer prisons.

## Sanitary Conditions

*Mr. — writes :*

“ I plucked up courage twice to go before the Governor about elementary needs. On one occasion we were 16 days without a change of underclothing, handkerchief, or towel, and it appeared we should have to go on for the full three weeks like this. A more trying task still was to have to go and complain to him that our weekly supply of sanitary paper was altogether inadequate, so that cleanliness was very difficult. I fear that almost the worst features of the system is that many men are frequently forced to use their cells to relieve themselves, in lieu of the daily visit to the water-closet—this being chiefly due to the fact that it is in practice impossible to go there until from one or two hours after breakfast. . . .”

*Extract from letter from C.O. written while awaiting third Court-martial :*

“ There are several times when one is shut up and denied proper access to W.C.'s. From 5 P.M. at night to 5.30 A.M. it is practically impossible to get out to them. One would be told to make shift in one's cell.

On Saturdays one is in the cell from after dinner until Monday 5.30 A.M. Although I shall be allowed to work in association I, even on my third sentence, shall not get any exercise on Sundays until I have earned my first stripe, viz. gone through the first stage and have earned 224 marks (4 weeks at 56 per week), and since I do not go out to services I shall do one and a half days per week close confinement with restricted facilities referred to as above. I might be allowed out



of my cell or I might not during the day for the purpose mentioned, but after tea-time on any day it would be impossible to be allowed out of my cell."

### Dirt in the Food.

*Extract from a letter from a Conscientious Objector recently released from — prison :*

" . . . One thing I want to draw your attention to, and that is the necessity of keeping a cat at — as the rice *invariably* disclosed the fact that there must be a swarm of mice in the prison kitchen or store. This tended to sicken one, although low feeding made me proof even against this—I had a black-beetle in my mouth one day. This I readily admit was an exception, yet I mentioned it to a warder, and he told me not to say anything about it because the other prisoners may ask for them too ! Yet the mice's dirt was the rule, and never a day passed when we had rice but that I picked out half a dozen or more lumps of evidence. . . ."

### Tooth-brushes

Efforts to soften prison régime have not been wholly unavailing ; prisoners are now allowed to have tooth-brushes.

### Clothing

*Extract from " 112 Days' Hard Labour " :*

" Clean shirts, socks, towel, and handkerchief once a week, underclothing once a fortnight—including a pillow-slip and often bed sheet every three weeks."

*N.B.*—Prisoners (male) are not provided with any nightwear so they are obliged to sleep in their day-clothes.

### Medical Treatment in Prisons

C. D., a young clerk who was privately studying for the Baptist Ministry, entered — Gaol on June 30, 1916, to serve a court-martial sentence of 112 days' hard labour. His mother states that up to June 5, 1916, when he left home, he had never had a day's illness.

He accepted work under the H.O. Scheme, and in September was passed as *fit for "navvying"* by the prison doctor, and sent to — Road Board Camp. A fellow prisoner now at — thus describes his condition at that time :

"During the association period which lasted from August to September I had on many occasions noticed our comrade looked ill and gave me the impression on closer observation that he was in a weary and weak state of health ; he continually coughed very badly as if he was suffering from tightness of the chest. . . .

"I can bring evidence to prove that the doctor (at — Prison) did nothing but abuse our men who were called up before him to be examined for outdoor manual labour at — Road Board Camp."

Another friend states that "his health first became affected by the prison diet which he could not assimilate."

At — he became worse, partly owing to the inadequate heating arrangements. After some months

he was transferred to —, and from there sent home, where he died of consumption, on May 27, 1917.

*Extract from letter from a man after serving a sentence at — Prison :*

“ Prison officials treat any complaint with scorn. Governor says, ‘ You are not at the Carlton.’ Dr. says, ‘ You are not in a blooming incubator.’ On putting down to see him continually for medicine he threatened to report me to the Governor—which would mean punishment—so I ignored him and his medicine too.”

*Extract from letter from —, dated March 19, 1917, at Dartmoor :*

“ . . . The insomnia continued—sometimes complete—all through my time in prison, and continues still. I have not slept for more than about two hours any night (with three exceptions) since February 1, and on two occasions at least I was light-headed in the night, and telling endless nonsense out loud, and became hysterical in the day-time on the least occasion. The prison doctor could or would do nothing for me, saying that only fresh air and exercise could cure me, and warning me that any indefinite prolongation of my condition would lead to a serious breakdown. He was rather kind to me, and I felt what he said was true. . . . I had passed six nights without sleep when I appeared before the Tribunal on March 10. . . .”

E. F.

Sentenced to two years’ hard labour, taken to —, thence to — Prison (Civil). In a letter to his wife, dated March 10, 1917, he writes that he was sent to work in the woodyard,

and twice the officer in charge kept the men out till they became wet through, and then took them back to the cells to sit in their wet clothes. As a consequence, Mr. — had a severe attack of inflammation of the kidneys.

## BAD CONDITIONS AT — PRISON

### *(Case of Scabies)*

G. H.

Arrested May 1916; medically examined on entry to —, October 31, 1916. Skin clear. Skin irritation reported later. Given boracic and sulphur ointment. (*N.B.*—Sulphur ointment seldom prescribed for anything but scabies.) Removed — Prison. Given zinc ointment—small tabloids—two doses medicine. States — Prison dirty. Cold bath each week, but once when water tepid. Not isolated or given clean sheets, though medically examined twice. No medical examination prior to discharge. Sent —. At once removed to Workhouse, isolated, and properly treated for scabies. G. H. was medically examined eight times between arrest and entry to —. Always passed as free from skin trouble.

Dr. — confirms statement — dirty. Has twice found men in verminous cells, which were instantly fumigated when he complained, and warders fined.

## CASES OF MENTAL TROUBLE APPARENTLY CONSEQUENT ON PRISON CONDITIONS

I. J.

Wood - sawyer. Arrested 23.11.16. Court - martialled on 9.12.16. Taken to — 23.12.16. Re-

ported at — Work Centre suffering from mental trouble, 30.3.17. Removed to — Lunatic Asylum.

*Extract from letter from Mr. I. J. (brother), dated 1.4.17.*

“ . . . My brother has always been a hard-working man and always enjoyed good health, and has never had any nervous breakdown, and has always been a good son and husband, and never smoked or drank. My idea why he had this breakdown is because of close confinement and the worry, and not being able to write and receive any letters from his wife and child and parents. It seems terrible to think my brother is in the state he is, as there has never been any insanity in the family of any kind. . . . ”

K. L.

Cycle Agent. Arrested, 17.1.17. Taken to — 27.1.17. Taken to — Asylum, —, on 21.3.17. Had suicidal tendencies. No insanity in family. Wife saw him on April 2, quite himself, but extremely weak, and head very painful. Said had suffered with head ever since it had been knocked at — Barracks.

M. N.

Pianoforte tuner, aged 22. Presbyterian and Sunday School teacher. Very religious. Arrested September 13, 1916. Highly strung, no sign of mental or nervous disorder. Taken to — October 24. Apparently still normal. Within six weeks removed to — Lunatic Asylum where he died early in June 1917.

Mr. — entered — Prison on April 19, 1917, to

serve a sentence of 112 days' hard labour. When his wife visited him on June 16 he implored her to obtain an offer of work of national importance for him, as he felt his mind was going. He had refused work of national importance when offered to him by the Tribunal prior to his arrest. A doctor sends the following account of his condition :

" He has completely broken down mentally, and he is described to me as looking ' wild in the eyes, and quite mad.' During the greater part of the twenty minutes' interview he was sobbing and resting his head on his hands. He stated himself that he felt he was going mad, and that unless he is released his whole mind will be completely gone."

#### GENERAL CONDITIONS

*A prisoner writes :*

" It will be good one day in the future again to live in a room in which there is not a peephole in the door. The prisoner never knows when he is being watched, and, however innocent his action, it is unpleasant to feel that complete privacy can never be relied on. During the evening hours officers wear silent felt slippers, and their visits are only known by the slight click of the shield over the hole as he moves it to look through. It was disconcerting, for instance, when engaged one morning in saying my prayers, suddenly to be accused by a voice on the other side of the door of being the author of tapping signals which were going on through the wall somewhere in the neighbourhood, and on my denying the charge, to be told that at any rate you had just been using ' foul langwidge ' ! "



“ In a similar manner the C.O. prisoner feels the utter lack of trust reposed in the individual. Prisoners are accompanied everywhere by a warder, and are always under supervision. Surprise searches of cells take place at intervals to detect the presence of contraband of any sort, while the individual is searched. Each time I came in from the laundry while working there, I and my fellows had to line up on returning to the hall, hold out our handkerchiefs and caps above our heads, while a warder searched one’s single pocket on the outside jacket and ran his hands over one’s person on the chance of finding—I don’t know what, unless we might be tempted to secrete clothing or soap about us. . . .

“ One of my most conscious lacks in prison was the entire outward absence of beauty. All that ministered outwardly to this vital human need was an occasional glimpse of a sunset, the lines, curves, and distant frescoes of the fine Renaissance Chapel at —— Prison, and even the warm brown and green of the worsted bedding. A thrill came over me when at exercise—under leaden sky and between lowering walls at Wandsworth—I one day saw flying overhead some seagulls, stragglers from the winter visitors to the Thames a mile or two away. . . .

“ In the short talks I have been able to get with warders, or before arrest, with policemen, I have never discovered one who could admit that any man was ever the better for being in prison. Personally, I can imagine nothing more calculated to put a man permanently on the road to ruin. God forbid that I should ever be responsible for sending a man, woman, or child to prison for any injury to me or mine.”

*Another man writes :*

“ Then we have the observation cells. They are ordinary cells, but, when the door is open, an iron grating covers the doorway, so that an officer continually marching up and down can keep them under observation all day. . . .”

*Extract from letter from a Conscientious Objector now awaiting the second Court-martial :*

“ . . . I have seen a man go raving mad in the prison after being shut up in a warm cell from 4 o'clock in the afternoon until 6 o'clock next morning. The cells are very badly ventilated, the one I was in had all the windows fastened down so that they were a fixture. Some cells have got two little windows out but some have not, and it gets very hot in there, especially when the sun is beating in, it gets unbearable. I have seen cell doors opened in the morning and the men stretched out on the floor in fits or fainting, and the warders do not take any notice of them but simply pass on and leave the door open. It really is very brutal. Men in the first stage are kept in the cell and not let out, only for three quarter hours early in the morning from 8.15 to 9 o'clock, and it is more than you dare ask to go out of your cell for anything for the first month, so you can just tell what it is like to be so closely confined this hot weather. . . .”

For obvious reasons the names of the writers of these letters are withheld, as it would be unfair to publish them without permission. The names of the prisons are also omitted. Should, however, the Home Secretary see fit to order an inquiry, this and further information can be put at his disposal—it being under-

stood, of course, that no harm should come to the unfortunate men in consequence. Eight different prisons are mentioned in these letters.

Letters have lately been coming through showing that Conscientious Objectors are again being sent to France, where it is stated that they are threatened with death, bullied, and given Field Punishment No. 1.<sup>1</sup> The relatives and friends of a man believe that he has actually been shot in France. Cruel treatment in barracks is said to have happened, ducking in filthy ponds, with other incredible acts of brutality. If a tithe of these reports is true, it behoves the authorities to look into the matter, and punish the offenders. Members of Parliament have asked questions on these points. I confess the answers given do not reassure me. It is to be hoped members will continue to press for the truth and for redress.

It is also stated that prisoners are not sufficiently fed. Here let me urge that the Devonport rations, when applied to prisoners without the power that free men have of supplementing them with various substitutes, mean starvation.

<sup>1</sup> Field Punishment No. 1 is thus described in the Manual of Military Law :

(a) He (the soldier) may be kept in irons, *i.e.* in fetters or handcuffs.

(b) When in irons he may be attached for a period or periods not exceeding any two hours in any one day to a fixed object, but he must not be so attached during more than three days out of any four consecutive days, nor during more than twenty-one days in all. This punishment, if cruelly carried out, may be torture ; and it is popularly known as " crucifixion."

## CONCLUSION

It is understood, though prison walls are thick and the cells of solitary confinement are silent, that a considerable number of Conscientious Objectors are now striking against work in prison, in order to show that they cannot fall in with the Government scheme of suppression. I deeply deplore the decision these men have come to, goaded by the taunt, " You are making mail-bags in prison, why can you not do work of national importance outside ? " The pitiable condition to which those who defy prison rules are reduced can be read on page 46 of this book, a punishment which, if continued long enough, must end in death or madness.

It is only fair to them to publish their reasons for this desperate action. I quote extracts from an open letter from one of them to the Prime Minister. It is a grave state of affairs. I will leave the public to apportion the blame. He writes from the cells, Salisbury Plain :

" THE CELLS, SALISBURY PLAIN,  
" May 31, 1917.

" Before I am removed to prison I think it right to make known to you that, like other men similarly situated, I have recently felt it my duty to consider carefully whether I ought not for the future to refuse all orders to work during imprisonment. I have

decided that it *is* my duty to take this course. This will mean that I shall be subjected to severe additional punishments behind prison doors. Provided I have the courage and health to fulfil this intention, I shall have to spend the whole of my sentence in strict solitary confinement in a cell containing no article of any kind—not even a printed regulation. I shall have to rest content with the floor, the ceiling and the bare walls. I shall have nothing to read, and shall not be allowed to write or receive letters or visits, even at the rare intervals usually permitted, and shall live for long periods on bread and water.

“ You, like so many people, have always looked upon us men as either cowards or stupid enough to have a mania for martyrdom. You consider us cowards in that we are at any rate safer and better off in prison than in the trenches. And yet you are perfectly well aware that our choice has not been, and is not, between prison and the trenches. That is not why we are in prison. Before the Tribunals many of us were offered, as a condition of exemption, an opportunity of finding ordinary civil work in which we should have been free to live our everyday lives, exempted from every kind of military service. We refused the offer, claiming absolute exemption.

“ Then the Government punished us for this by arresting us and sending us to be soldiers, although we had already proved to the entire satisfaction of the Tribunals that we had a genuine conscientious objection to *every* kind of military service. Naturally we refused to be soldiers, and were then (following in some cases upon a spasm of brutal treatment) packed off to prison for disobedience to military orders.

“ Next you offered to release us from prison *not* on

condition that we would go to the trenches, but provided we would sign an agreement to engage in safe civil work with other men similarly minded to ourselves. We were to be nominally transferred to Army Reserve W, and if we misbehaved, we should be sent back to our regiments. A recent stipulation has been that those who accept this work should not engage in the public propaganda of their opinions. Again we refused this ostensibly attractive offer and chose to remain in prison at hard labour.

“ Then you sent us back to the Army, and we were again court-martialled and again imprisoned, and now, like many others, after being returned to the Army, and sentenced again, I am to be sent back to prison with hard labour for the third time—and so, I suppose, *ad infinitum*.

“ I think this shows that—mad or sane—we are at least not cowards. It is not the fear of physical death in the trenches that had led to our remaining in prison, but rather a fear of spiritual death which we believe must follow our assent to any Conscription scheme, military or civil.

“ Our repeated refusal of all these offers does not, however, signify unwillingness to render life service to our fellow-countrymen, and if we were released to-morrow with absolute exemption we should feel the obligations of citizenship more insistently than ever before. Incidentally many of us have hitherto been engaged in occupations deemed by the Government to be of the greatest national importance.

“ We have persisted and shall persist in this refusal, although we are fully alive to the horror of repeated imprisonment. No man or woman who has not experienced this test of sincerity can be expected to



form an estimate of the torment of its silence and loneliness. The only men who seem able to develop a true understanding of its terror are the soldiers who have faced the dangers of the trenches and who shrink from the very thought of the alternative of prison.

“Hitherto you have had quite a plausible argument which ran as follows :

“ ‘ We (the Government) must make the test of a genuine Conscientious Objector exceedingly hard or every one will become a Conscientious Objector and Conscription will fail.’

“Very well. You have made your test, and on your own finding have rejected as frauds less than 100 out of nearly 5000 of us. And you have had your time, during which we have accepted one, two, three, and four sentences of hard labour.

“Your present course is nothing less than the most deliberate persecution of genuine opinion, which one would have thought quite impossible in this country.

“Meanwhile you are satisfied that you have succeeded in discovering a way of solving the knotty problem of the Conscientious Objector. That method takes the shape of exacting forced Conscription service under different guises from every section of Conscientious Objectors. Some you put to do work in the Non-Combatant Corps, some in the Home Office Centres, and the rest, who have rejected these schemes, you are pleased to find will, in fact, do similar or almost the same work in prison. These, I submit, are your real reasons for continuing the policy of persecution ; you have, in fact, abandoned your old intention to test genuineness with a view to doing justice in the end.

“I have come to believe that it is my duty to refuse to be involved in any one of these schemes, at whatever

cost and without regard to the further postponement of my release which might result. Three times you have punished me for the same offence, and I believe it to be my duty now to refuse to do anything in prison which would result in my acquiescing in such injustice.

“Every man you have shut away in prison for remaining true to his sense of right and wrong has gathered a courage and quiet determination far more enduring than any inspiration which guided him when engaging as a free man outside in the struggle against social injustice. He has thrilled with joy in his prison cell at the triumph of Russian democracy.

“Any man in whom personal ambition played any part when you first sent him to prison is out for something far different now. You have given him his chance of realising in his own life the unity of all that makes a man strong and free and sincere, you have made him feel equally the unity of all that is most eternal in the life of the world. You have made him an irresistible force in the gathering struggle to defeat everything that leads away from freedom, whether it be amongst individuals, amongst classes, or amongst nations.”

Passive resistance or the refusal to obey authority is not quite so simple a problem as some shallow people seem to think. When it has been undertaken in a just cause it has frequently resulted in the sacrifice of the individual, but often in the eventual triumph of the cause except perhaps in the case of Spain, where, to the eternal misfortune of that country, the priests prevailed, and the Inquisition burnt and tortured freedom of opinion out of the land. It is probable that the wisest course to pursue with the fanatical resister (of

course, I am not speaking of criminal resistance to law) is to leave him alone, when the public opinion of his time will show up the absurdity of his action. The very worst course to take is to persecute him, thereby intensifying his resistance and raising sympathy for him.

What has seen the light in these papers reminds one somewhat of the accounts of the proceedings of the Star Chamber during Stuart times. William Hudson, in his *Treatise of the Court of Star Chamber*, printed in 1792, says "All offences may be here examined and punished if the King will." And we are told "the procedure was not according to the common law; there was no jury, it could proceed on rumour alone, could apply torture,<sup>1</sup> and could inflict any penalty but death. Hateful and excessive punishments were inflicted on those brought before it, and the feeling which gathered around it was one of the causes which led to the popular discontent against Charles I."

It was against such tyranny that Hampden fought and died and Milton wrote. The Government has now decreed that there are to be no more remissions of sentences, that the thousand or more Conscientious Objectors are to remain immured without appeal for the remainder of their long sentences of two and three years of hard labour. Nothing more will be heard of them. Some of them suffering the horrors of the punishment cells, broken in mind and body, mad, or dying, forgotten in the stress of war. These unfortunates may deserve our blame for their resistance to what they deem unjust sentences, but God forgive the

<sup>1</sup> This our modern Tribunals and Court-martials certainly cannot do; but great cruelties amounting to torture have been inflicted on Conscientious Objectors in barracks.

souls of those other men, who, from behind their desks, settle the fate of their fellows, helpless within their iron grip.

If you think that what is going on is barbarous and should be put a stop to, if you think that these men should not remain in prison year after year, suffering an ignominious sentence, shut away from our ken, if you feel with me that what is happening will act like an ulcer on the public conscience and do our beloved country harm, then for the sake of the good fame of Great Britain and all she stands for in the world's history, for the credit of our brave army, for the sake of an even greater cause, the cause of our common humanity, do not hide your opinions, do not rest until redress is given, the prison doors are opened, and the men suffering for their faith are set free. I ask your help, as the mother of one of them, to make this appeal known, which will not then have been made in vain.

## APPENDIX I

SOME EVIDENCE THAT THE TRIBUNALS HAVE MISINTERPRETED THE LAW. IT IS THE DUTY OF THE ADMINISTRATION TO RECTIFY THIS.

THE governing clauses of the Military Service Act, 1916, on the subject of Conscientious Objectors are the following :

*Section 2, Subsection (1).*—“ An application may be made at any time before the appointed date to the Local Tribunal established under this Act by, or in respect of, any man for the issue to him of a certificate of exemption from the provisions of this Act :

“ (a), (b), (c) irrelevant,

“ (d) on the ground of a conscientious objection to the undertaking of combatant service ;

and the Local Tribunal, if they consider the grounds of the application established, shall grant such a certificate.”

*Section 2, Subsection (3).*—“ Any certificate of exemption may be absolute, conditional, or temporary, as the authority by whom it was granted think best suited to the case, and also, in the case of an application on conscientious grounds, *may* take the form of an exemption from combatant service only, or may be conditional on the applicant being engaged in some work which in the opinion of the Tribunal dealing with the case is of national importance.”

It seems further quite clear that the Tribunals themselves interpreted the Act in different ways, some Tribunals stating that they had no power under the Act to grant

absolute non-conditional exemption, although this seems to be the clear reading of the clauses in question. To meet this confusion the Local Government Board issued instructions to the Tribunals on June 1, 1916, in which the following sentence appears :

“ To dispel some misapprehension which has lately again arisen as to the powers of Tribunals to grant exemption from all military service, the new Act contains a declaratory section that the special powers given to Tribunals as to the kinds of exemption which may be granted in cases of conscientious objection do not take away their power to give absolute or conditional exemption in these as in other cases.”

Further, in the second Military Service Act of 1916 (second session) a clause was inserted to clear up the misapprehension which apparently existed, and read as follows :

“ It is hereby declared that the power to grant special certificates of exemption in the case of an application on conscientious grounds under Subsection (3) of Section 2 of the principal Act is additional to, and not in derogation of the general power conferred by that Act to grant an absolute, conditional, or temporary certificate in such cases.”

The Director-General of recruiting had issued in February 1916 a *Guide* to Tribunals, in which he states :

“ There may be exceptional cases in which the genuine convictions and the circumstances of the man are such that neither exemption from combatant service nor a conditional exemption will adequately meet the case. Absolute exemption can be granted in these cases if the Tribunal are fully satisfied of the facts.”



A FEW OF THE CASES IN WHICH IT IS STATED TRIBUNALS  
HAVE HELD THAT THEY HAVE NO POWER TO GRANT  
ABSOLUTE EXEMPTION ON CONSCIENTIOUS GROUNDS.

*Glasgow Appeal Tribunal, May 22, 1916*

Patrick Hughes, 15 Low Waters, Hamilton, appealed against the decision of the Local Tribunal held March 20, 1916. Local Tribunal agreed that applicant had proved his case, but was given non-combatant service, as they held they *could not grant total exemption*. The Appeal Tribunal dismissed the case, holding it to be *outside their power to grant total exemption*. Right to appeal to Central Tribunal refused.

*Bishop Stortford Local Tribunal*

Leonard Henry Caton, 45 Hadham Road, Bishop Stortford, claimed total exemption as a conscientious objector, and was exempted from combatant service only, the Clerk stating that the Tribunal had *no power to do more than exempt the man from combatant service*. Case dismissed by Appeal Tribunal on March 18, 1916.

*Wellingborough Local Tribunal, June 27, 1916*

*Extract from letter from Arthur Bruce Gravely, who was given non-combatant service by this Tribunal :*

"The Tribunal, whilst recognising my conscientious objection as being genuine, *insisted that they could not give me anything better than non-combatant on conscientious grounds*, and temporary exemption until September 1 on 'D'! I claimed that the Tribunal could and should grant total exemption."

*Somerset Appeal Tribunal, March 24, 1916*

Reported by T. W. Walker, 94 Bove Town, Glastonbury.

"On March 24 the Appeal Tribunal sitting at Bath refused the appeal of Mr. T. C. Bowles of Wells against the decision of the Wells City Tribunal, who had given him non-combatant service.

"Mr. Bowles is a conscientious objector, and was of course appealing for absolute exemption.

"The Chairman of the Appeal Tribunal, Mr. Somerville, of Dinder House, Wells, ruled that the Tribunal was unable to grant anything but non-combatant service to a Conscientious Objector, and therefore the appeal 'did not lie.'"

*Wem Rural Tribunal, Wem, Salop, March 1916*

Ernest S. Sands claimed absolute exemption as a Conscientious Objector. *Extract from letter from applicant, dated 30.3.16:*

"I have appealed to the Local Tribunal, who stated they were satisfied my case was genuine, but at the advice of the Clerk (who, by the way, is a solicitor), held that *they could not give me absolute exemption, as the Act did not provide for absolute exemption for Conscientious Objectors.*"

*West Sussex Appeal Tribunal, March 21, 1916*

*Extract from "West Sussex Daily News," March 22, 1916:*

"A Chichester furniture salesman, aged 28, appealed against the decision of the Chichester Tribunal granting him exemption from combatant service, and asked for absolute exemption on conscientious grounds. . . .

"*The Chairman:* . . . Have you looked at the Military Service Act, under which we all come, everybody here? . . . It empowers you to make an objection on the ground of conscience, *but the objection must be to combatant service; it allows you to object to combatant service only.* . . ."

The appeal was dismissed.

*Preston Appeal Tribunal and Local Tribunals*

When Mr. Welcock, journalist and Sunday School teacher, graduate of Edinburgh University, was granted a rehearing of his case by the Local Tribunal, the Chairman admitted he had a very strong case, but said that, in view of a statement made in the House of Commons, he did not think he could grant absolute exemption, and he expressed his sorrow at not being able to give a better decision. Mr. Welcock is now serving a second sentence of two years' hard labour.

## APPENDIX II

### CONSCRIPTION IN THE UNITED STATES

IN the American Act the following clause appears :

“ And nothing in this Act contained shall be construed to require or compel any person to serve in any of the forces herein provided for if found to be a member of any well-organised religious sect or organisation, at present organised and existing, whose creed forbids its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed of the said religious organisation.”

It is well said by a writer to the *Nation* that :

“ Under this clause many sects, which have been ruthlessly persecuted in England, will be granted full right of exemption—the Quakers, for instance. English prisons are filled at the moment with the flower of the young members of the Society of Friends who have adhered to the ancient principles of the Society.”

## APPENDIX III

### CLEETHORPES CAMP

#### TREATMENT OF A MANCHESTER C.O.

#### **Army Council's "Grave View"**

IN the House of Commons on July 19,

Mr. E. HARVEY (L., Leeds) and Mr. J. H. WHITEHOUSE (L., Mid-Lanark) asked the Under Secretary for War whether he could now state the result of his enquiries into the case of James Brightmore, Manchester Regiment, who was confined in a pit 12 feet below the level of the ground for eleven days and nights in Cleethorpes Camp, and for four days of that time obliged to stand ankle-deep in mud and water; and whether, if this form of punishment is considered excessive and unjust, any redress will be given to the man who has suffered it.

Mr. MACPHERSON: The allegations made are substantially correct, I regret to say. . . . I would add that the Army Council take a grave view of the action of the authorities responsible for these irregularities, and are considering what further action in the matter will be appropriate.

The wrong that's unrighted  
Lies down on thy doorstep.













I AP  
CAES

Mrs. H